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Walking with Broken Crutches: Exploring the Effects of Host-State Fragility upon Refugees

A research project presented in partial fulfilment of the requirements for
the degree of Master of International Development

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Abstract

This research report explores the relationship between state fragility and the hosting of refugees in the context of the protracted Afghan refugee crisis, where fragile state Pakistan hosts Afghan refugees.

The reality for the majority of the world's refugees is that their hosts are neighbouring countries which are in varying conditions of state fragility. Some states are bearing the brunt of the global refugee burden despite their general struggle to provide basic services and livelihood opportunities for their own citizens. For these 'fragile hosts', providing for an influx of refugees would be untenable without significant international assistance.

Following a comprehensive literature review looking at the complex interplay between conflict, state fragility, underdevelopment and forced migration, the report case study is prefaced by background chapters surveying the factors which triggered Afghan forced migration, and Pakistan's fragile status as host respectively. This report then offers an analysis of two region-specific UNHCR documents which explores the relationship between Afghan refugees and Pakistan as 'fragile host'.

Various host-state incapacities were found to entrench endemic poverty and insecurity in the Afghan refugee population in Balochistan due to a lack of livelihood opportunities, and availability and access to quality services. These issues have also created barriers to local refugee integration, and the fluctuating interest of international donors has historically served to exacerbate these challenges. This report argues that a much-improved understanding of the multi-layered and complex regional, national and local relationships between protracted conflict, state fragility and refugee-host dynamics is needed in order to approach a sustainable solution.



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Acronyms

DFID	Department for International Development (UK)
FATA	Federally Administered Tribal Areas
FSI	Fragile States Index
GoP	Government of Pakistan
IOM	International Organisation for Migration
MDGs	Millennium Development Goals
NADRA	National Database & Registration Authority
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PNA	Participatory Needs Assessment
PoR	Proof of Registration
RAHA	Refugee Affected Host Areas
SDGs	Sustainable Development Goals
SSAR	Solutions Strategy for Afghan Refugees
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency for Palestine Refugees
WFP	World Food Programme

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CHAPTER ONE:

Report Introduction

1.1 The Global Crisis of Contemporary Forced Migration

Forced migration represents one of the foremost global challenges of the twenty-first century. Forced migrants who are driven from their homes increasingly find safer havens in neighbouring countries which are only marginally less tenuous than their own. In order to better protect refugees in this situation, a better understanding of the ways state fragility impede refugee protection and assistance is needed. This report aims to explore this to explore the relationship between state fragility and the hosting of refugees in the context of Afghan forced migration to Pakistan.

The term ‘forced migrant’ describes a person who is compelled towards a change of residence away from their place of citizenship, cultural centre, or ‘roots’ arising from natural or man-made disasters to preserve their safety. Forced migration can occur within borders causing internal displacement or across borders creating refugees (Wood, 1994, p. 607; (IOM, 2015, p. 1). At the time of writing, the United Nations High Commissioner for Refugees (UNHCR) mandate represented in figure 1.1 below painted a stark picture. The number of forced migrants worldwide has reached nearly 55 million; with internally displaced persons (IDPs) being the largest category of people served by the UNHCR (61%), followed by refugees and those in ‘refugee like’ situations persons

(27%)¹, stateless persons (7%), asylum seekers (3%), and finally, others of concern (2%) (UNHCR, 2015i, p. 8).

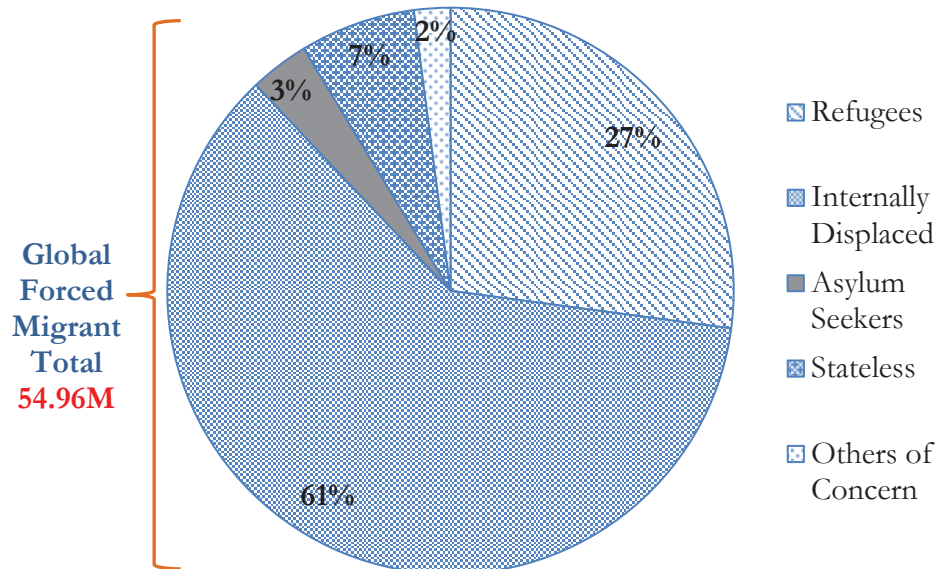


Figure 1.1: A Picture of Global Forced Migration in 2015. Source: UNHCR Statistical Yearbook 2014, (UNHCR, 2015i, p. 8)

The specific factors that drive people to escape their homes vary widely. Some flee life-threatening situations such as conflict, persecution, human rights violations or generalised violence, whilst others are forced out by threats to livelihood such as adverse climatological changes and natural disasters (Majodina, 2009p. 3; Moore & Shellman, 2004). Some are trafficked or ‘coerced’ away, while others are displaced as a result of development projects (Martin, 2010, p. 15). Scholars argue that economic migrants also qualify as ‘forced’, or ‘survival migrants’ (Gzesh, 2008; Betts A., 2013), driven from failed or fragile sites of origin seeking

¹This refugee figure excludes the 5.1 million Palestinian refugees registered with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)

better economic chances across borders. Alarmingly however, the vast majority of the world's increasing number of forced displaced and refugees are made so as a result of "persecution, conflict, generalized violence, or human rights violations" (UNHCR, 2015b, p. 2).

The 21st century has seen a dramatic rise in 'multi-causal' and 'mixed' migration flows of both forced and voluntary migrants, along with related unpredictable patterns, scale, and processes of these population movements (Zetter R. , 2015a, p. 4). These movements have placed tremendous pressure on host and transit countries. From the beginning of the century, threats to national security such as attacks by non-state actors have been met with the erosion of asylum space through the securitisation of borders which can block refugees' rights (Fekete, 2005, p. 40), and a reduction of aid donations to assist refugees (Schmelz, 2012, p. 166; Todeschini, 2012). For example in late 2000, Pakistan officially closed its borders to new Afghan refugee arrivals and forced some to repatriate at odds with the international legal principle of non-refoulement (US Committee for Refugees and Immigrants, 2001, p. 5). These patterns are evident in the current refugee crisis facing Europe where complex mixed population movements comprised of refugees, asylum seekers, and economic migrants and other migrants travelling along similar routes using similar means (Altai Consulting, 2015, p. 13).

By contrast, dire economic conditions, human rights violations, and new and on-going protracted conflicts in the global South continue to drive unprecedented numbers of refugees to seek protection in neighbouring developing countries and elsewhere. Forced migrants who resided elsewhere prior to pushing towards Europe had migrated onward due to inadequate and unsustainable circumstances such as "high cost of living

and recent reductions to humanitarian aid, a lack of employment opportunities, restrictive regulatory barriers, and inadequate access to services such as healthcare and education” (REACH, 2015, p. 7). With the rise of national security concerns in the donor north, leading to the evaporation of asylum space and reduction in aid, refugees are finding few welcome mats and fewer open doors for permanent settlement.

1.2 The Trouble with the Majority of Refugee Hosts

Compounding the tragedy of forced migration outlined above is that the majority of refugees are hosted in countries which exhibit a mixture of vulnerabilities making them ‘fragile states’ (UNHCR, 2015h, p. 7). This is illustrated in figure 1.2 below which shows that approximately 57% of refugees worldwide are hosted in just ten countries. Each of these host countries exhibits varying levels of state fragility and is coded with a Fragile States Index (FSI) ranking and corresponding risk status. This is calculated based on an average score across eleven categories of state weakness (The Fund for Peace, 2015, p. 4). As illustrated below, Pakistan is the 13th most fragile state in the world ‘high alert’ status, along with being host the second largest proportion (11%) of refugees under UNHCR mandate globally. Turkey hosts the most refugees (13%) and is considered marginally fragile with ‘warning’ status along with Jordan. The remaining refugee host countries are also fragile with statuses ranging from ‘high warning’ to ‘very high alert’².

² It should be noted that many countries hosting the remaining refugees outside of the top ten host states could also be fragile, such as Iraq which hosts nearly three hundred thousand refugees (UNHCR, Mid-Year Trends, 2015), and is the 12th most fragile state in the world with ‘high alert’ status (The Fund for Peace, 2015, p 8).

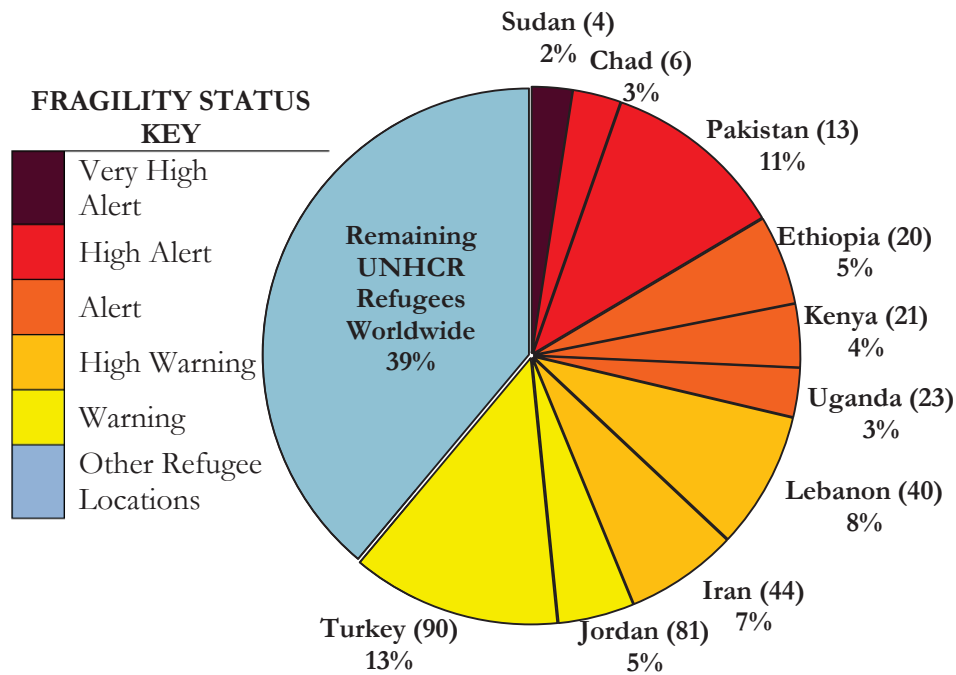


Figure 1.2: Percentage Breakdown of the Top 10 Refugee Host Countries and their Relative State Fragility. Source: Adapted from the percentage of refugees in each country (UNHCR, 2015i, p. 8), and the Fund for Peace, 2015, p. 7)

The reality that the majority of the world's refugees are hosted in states considered fragile, with many in protracted situations of five years or more (UNHCR, 2015b, p. 11) compounds the already dire circumstances of refugees and creates immense challenges for international refugee protection systems. The multi-layered difficulties associated with fragile states hosting refugees, along with the typically regional character of such fragility affects the host's and humanitarian organisation's ability to protect and assist refugees.

1.3 Legislating the Refugee Label

Prior to the formation of the United Nations in 1948, the term ‘refugee’ generally described a person who had ‘sought refuge’ (FMO, 2010, p. 1). The advent of the United Nations Convention Relating to the Status of Refugees in 1951 created the international normative legal and policy framework which would guide refugee protection in the post-World War II era (Zetter, 2015a, p. 5).

The UN Convention is the cornerstone legal document defining refugees, explaining their rights, and the legal obligations of states in assisting them (United Nations, 1950). The classical definition of a refugee given by the UN Convention outlines that a ‘refugee’ must forcibly reside outside the country of their nationality. The UN Convention gives possible reasons for this where refugees, unable to find safety at home, fear being “persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” (UNHCR, 2011b: Article 1, p. 14).

Convention obligations come into effect for a signatory country after an asylum seeker, or person in a refugee-like situation enters (UNHCR, 2015b, p. 12). Now labelled a ‘refugee’ and imbued with international legal status, including human rights, the host country has a duty of care towards them. A cornerstone of these obligations is ‘non-refoulement’, or not returning refugees to a situation of possible harm. With the legal status of refugees clearly mandated, they are entitled to the protection of the United Nations High Commission for Refugees (UNHCR), whereas other forced migrants can remain legally adrift, effectively leaving sending, transition, and receiving states without obligation to act beyond their own interests. In 2016, 142 states had ratified the Convention and

its 1967 Protocol and committed to the protection of refugees (UNHCR, 2011c).

1.4 Out of the Fire, Into the Fry Pan: The Refugee-Fragile State Nexus

The majority of refugees are hosted in the global South, in countries that are considered to be fragile. The term ‘fragile state’ does not have a fully agreed-upon definition, or a set of universally congruent measurement indices. However, academics and key international organisations hold similar overarching views of what state fragility means, with particular consensus on the negative effects state fragility has on human rights (Englehart, 2009). According to the Organisation for Economic Cooperation and Development (2012a), a state can be considered fragile when its government cannot, or will not deliver core service functions to the majority of residents due to insufficient capacity (OECD, 2012). The definitional framework of state fragility used throughout this report is that put forward by Stewart and Brown (2009) where state fragility comprises governance failures of authority, service entitlements provision, and legitimacy (p. 10).

Firstly, *authority failure* is characterised by the inability of government to protect all people residing within its territory, control borders and territory (DFID UK, 2005, p. 8), and establish rule of law and an equal-access justice system (OECD, 2015, p. 20). Secondly, *service entitlements failure* reveals government incapacity to ensure that all citizens have access to a range of basic services such as health, education, water and sanitation, transport, energy infrastructure, and economic opportunities (Stewart & Brown, 2010, p. 10). Service entitlements failure can also be

characterised by weaknesses in public resource management to promote livelihood opportunities and the reduction of poverty (OECD, 2015, p. 40), and economic, social and political inclusion through the development of effective, transparent and accountable institutions and policies (OECD, 2012, p. 35; DFID UK, 2005, p. 8). Finally, *legitimacy failures* exist when governments are not subject to control mechanisms through political regulations or legislation (DFID UK, 2005, p. 8). Limited support among the people and the exclusion of some groups from political processes also characterises state legitimacy failures, particularly when states are controlled by the military either directly or through a dominating interest in the government (Stewart & Brown, Fragile States, 2010, p. 20). The prevalence of poverty is a marker of state fragility, and in most cases fragility can be linked directly or indirectly to conflict (OECD, 2012; Naude et al, 2011, p. 6).

When state incapacity means that the support and management of refugee influxes is impossible alone, cooperation with the UNHCR becomes mandatory. This can cause duplication of policies and services aimed at refugees or potentially create a parallel ‘pseudo-state’. By cooperating to install the UNHCR as a ‘surrogate state’ in order to promote more effective protection of refugee rights and clarify where institutional remits begin and end (Kagan, 2011, p. 27; Moulin & Nyers, 2007), state policy towards refugees can become unclear. Protracted refugee situations in fragile states can negatively impact local host populations who have limited access to basic needs. When international refugee organisations provide for refugees and not local host communities, refugees can be placed at further risk (see Chambers, 1986, and Aukot, 1992).

Host state fragility has a major influence upon the approach taken by actors in relation to refugee protection, assistance, and strategising sustainable solutions (UNHCR, 2015b, p. 19). State fragility through government failures of authority, capacity to deliver services entitlements, and legitimacy in the majority of refugee host states ultimately compounds already difficult situations for refugees (Ghani & Lockhart, 2008). When a fragile host state is barely able to provide a modicum of basic needs to its own citizens, limited absorption capacity for additional refugee populations increases pressure; and without sustained international assistance, little can be expected from fragile states towards their 'tolerated guests' (Chatty, 2010, p. 37).

1.5 Research Questions, Methodology, and Limitations

In order to explore the relationship between state fragility and the hosting of refugees in the context of Afghan refugees in Pakistan, this report centres around three key questions. The first question asks what the cause(s) of the refugee influx to Pakistan are and seeks to explain the causes of refugee flight from Afghanistan and why Pakistan is the main destination of Afghan refugees. The second question asks how Pakistan copes as host to Afghan refugees through contextualisation of Pakistan as a 'fragile state', the general situation of refugees in Pakistan, and how the Government of Pakistan supports refugees. The final question explores how Pakistan is supported by the international community to bear its refugee hosting burden through an exploration of the assistance given to Pakistan by the international community.

This research report relies on a qualitative desk-based approach which

reviews a wide range of literature aimed at exploring interrelated concepts pertinent to understanding both state fragility and refugees in protracted situations. Sources will include documents from a range of relevant academic disciplines, policy institutions, government agencies, and individual authors. The case study of Pakistan as host to Afghan refugees is used to provide a refugee-host context. This context was chosen for its intersecting characteristics of high state fragility and protracted host burden. A more specific qualitative document analysis is included of a Participatory Needs Assessment of Afghan Refugees in Balochistan (PNA, 2014) and the Solutions Strategy for Afghan Refugees Regional Overview Update (SSAR, 2015).

Limitations of this research are that it is desk-based and therefore entirely reliant on preceding and accessible research done by others. This means that the body of works drawn from have already been interpreted by other researchers. In addition, the available literature is only accessible by this researcher in English which therefore excludes material in languages which could be relevant to the case study site of Pakistan, such as Urdu. The limited document analysis sample size of only two official UNHCR documents for analysis is also a limitation, as is the fact that they originate from the same international organisation.

1.6 Consideration of Ethics and Biases

All research processes require an ethical approach in order to ensure the best chance that the integrity of the research will be upheld. In the case of this research project, ethical considerations are guided by the Massey University Code of Ethical Conduct for Research, Teaching and Evaluations Involving Human Participants (Massey University, 2014).

The desk-based nature of this research project means that there is no requirement to obtain Massey University Human Ethics committee approval. However, as O’Leary (2014) points out, the personal position of the researcher cannot be taken for granted as no researcher is unbiased by carry their own set of beliefs and perspectives.

As a researcher, I aim to follow the above guidance and maintain consideration of my personal research position in order to be aware of any confirmation bias around research findings. This includes my ethnic position as a white New Zealander, gender position as a male, and religious position as a Sunni Muslim. I have endeavoured to obtain documents by way of ethical and official means so that the material used to research and inform this report is academically sound, and available.

1.7 Report Structure

Following this contextual introduction, chapter two is a review of the relevant literature, centred on state fragility and its relationship to conflict, protracted displacement, and underdevelopment. Chapter three comprises the first of two background chapters related to the case study of Afghan refugees in Pakistan, paying particular attention to the conflicts which triggered and sustain the Afghan refugee situation in Pakistan. Chapter four gives an overview of Pakistan as a fragile host state, along with the humanitarian response to the refugee crisis. Chapter five comprises the analysis of documents and describes the findings of this report as they relate to the document analysis. Finally, the discussion and conclusion will summarise and draw together the ideas in this report, and offer conclusions and recommendations for further study.

CHAPTER TWO:

State Fragility, Conflict, and Protracted Refugee Protection in the 21st Century

2.1 Chapter Introduction

As explained in the report introduction above, the majority of refugees originate in the developing world and are hosted in fragile states.

Refugees typically seek protection from threats such as conflict, persecution, natural disasters, and increasingly dire economic situations, creating ‘mixed migration’ flows. Generally, such driving factors of displacement in origin countries are felt regionally, along with at least some of the complex factors of underdevelopment. Citing security risks and debates around ‘mixed’ refugee flows, where economic migrants intersperse with refugees fleeing conflict and human rights abuses (among other drivers), potential host countries have presided over a shrinking of asylum space, particularly in the North (Loescher G. , Milner, Newman, & Troeller, 2008). This has undermined the idea of global ‘burden sharing’ outlined by the 1951 UN Convention relating to the Status of Refugees (Zetter, 2015; Betts A, 2006).

Through a broad range of literature, this chapter aims to explore some of the key concepts surrounding state fragility including framing it in terms of governance and service provisions failures. Following this, the mutually-reinforcing relationship between conflict, state fragility, and underdevelopment is discussed, along with the association it has to protracted forced displacement. This chapter also explores the inherent difficulties in protecting and repatriating protracted refugees in fragile situations, particularly in the context of an absence of livelihood opportunities. Finally, the idea of refugee crises as a global shared burden

is discussed.

2.2 Defining State Fragility

The problem of state fragility is at the foundation of an international systemic crisis, significantly impacting the pervasiveness of global poverty, and representing one of the most serious 21st century challenges to global stability (Ghani & Lockhart, 2008, p. 4) (Fukuyama, 2004) (Putzel & Di John, 2012) (Patrick, 2007). According to recent OECD (2015) predictions, poverty is likely to become increasingly concentrated in fragile states, where under the best-case scenario, 62% of the world's poor will be located in fragile states by 2030 (p. 21). Development options are also limited in fragile states as “the fragility of a state prevents it from applying the tools of development, such as the effective use of aid” (Christoplos and Hilhorst, 2009, p. 4). Addressing the needs of fragile states, therefore, is of central concern to the post-2015 Millennium Development Goals, 2030 Agenda for Sustainable Development agenda (ASD2030) (OECD, 2015, p. 13; United Nations, 2016). In order to unpick the idea of the ‘fragile state’ the concept of the ‘state’ must briefly be looked at.

Classical definitions of the ‘state’ are multi-dimensional and rely upon three principal elements. Firstly, a state has a defined territory. Secondly, a state is organised under an ‘effective public authority’ (government) with internal sovereignty or fundamental power, including the legitimate ability to define a constitution and monopolise the use of force (Weber, 1978, p. 54). Thirdly, a state exhibits formal external sovereignty (not formally subordinate to another state) (Jessop, 2016, p. 37). In an international legal sense, a ‘state’ is considered “the final arbiter of

internal, external, and boundary questions” (Abizadeh, 2010, p. 147), and a ‘legal person’ subject to international law (Robinson, 2013, p. 560).

In human rights terms, the enfranchisement of an individual not only begins with, but is dependent upon, their state-affiliated identity. The Universal Declaration of Human Rights (1948) advances that state-based social and economic security and inter-state cooperation are the basis for the achievement of a dignified individual human existence (United Nations, 1948, Article 22). States are relied upon to negotiate the necessary economic, social and security conditions which facilitate a dignified human existence. When states fail to achieve this, in basic terms, they can be considered fragile.

A unified and unanimous definition of state fragility has yet to be formulated despite the profusion of literature covering a range of related aspects, including general concepts (Jones, 2008; Kaplan, 2008), case studies (Call and Wyeth, 2008; Rotberg, 2003), and correlation and causality studies (Bratton and Chang, 2006; (Englehart, 2009). State fragility is a multidimensional concept and involves a complex network of political interactions, historical patterns of economic development and social characteristics, including conflicts, which have eroded a state’s ability to function normatively (Grävingholt, Ziaja, and Kreibaum, 2012, p.2; Hameiri, 2007; Kaplan, 2008, p. 36; Marshall, 2008). State fragility does develop or occur in isolation but is generated in the context of transnational economic and political relations which links fragile states to non-fragile states and other fragile states regionally and internationally (Duffield, 2001, p. 165; Christoplos & Hilhorst, 2009, p. 12).

Multinational donor agencies consider state fragility as shifting points on

a continuum between state robustness and failure (OECD, 2012, p. 15), and have settled on an approximate description of what it means for a state to be ‘fragile’. This description centres upon the ability or willingness of a state’s institutions and governance structure to sufficiently provide service entitlements to the state’s population (DFID UK, 2005, p. 14; OECD, 2012, p. 15). For the purposes of this report, Stewart and Brown’s (2009) working definition of state fragility provides an analytical framework centred upon the degree to which states fail to meet a set of three broad functions: authority, delivery of service entitlements, and legitimacy (p. 9; Carment, et al, 2010; Naude, et al, 2011). These are briefly explained below.

Authority Failures

Lack of authority contributes to fragility when states are unable to establish a rule of law at the national and international levels, where high levels of criminality can continue in the absence of a working, equal-access justice system (OECD, 2015, p. 20). Inability to protect the people residing within their borders against organised communal or political violence, including deliberately leaving particular groups unprotected is also considered failure of state authority (Stewart & Brown, *Fragile States*, 2010, p. 10). State authority is also unqualified in the absence of clear international sovereign status where the state cannot control either its borders or significant parts of its territory (DFID UK, 2005, p. 8; Kreutzmann, 2008, p. 203).

Services Entitlements Failures

Lack of service provision capacity contributes to fragility when states are unable to ensure that all citizens have access to a range of basic quality services such as health, education, water and sanitation, transport, energy

infrastructure, and economic opportunities (Stewart & Brown, *Fragile States*, 2010). Service entitlements failures are linked to state inability to manage public affairs such as public finances to promote progress towards growth and the reduction of poverty (Putzel & Di John, 2012, p. xi), and the promotion of economic, social and political inclusion through the development of effective, transparent and accountable institutions and policies (OECD, 2012, p. 35). Capacity to mitigate the prevalence of illicit financial flows including corruption, and the combat of organised crime is linked to service entitlements failures and causes state fragility. (DFID UK, 2005, p. 8). Inadequate state planning causing adaptive incapacity also reduces exposure and vulnerability to climate-related extreme events and other economic, social, and environmental shocks and disasters (OECD, 2015, p. 40).

Legitimacy Failures

Lack of Legitimacy contributes to fragility when states have only limited support among the people they are supposed to govern and when political participation is suppressed, including the systematic exclusion of groups from political processes. Restrictions in civil liberties and control the media also contributes to legitimacy failure. When states are not subject to control or accountability mechanisms, either formally through political regulations or informally through legislation, their legitimacy is questionable (DFID UK, 2005, p. 8). Governments which are controlled by the military, either directly or through an autocratic interest in the political or economic arenas are also considered illegitimate (Stewart & Brown, *Fragile States*, 2010, p. 20).

Having moved beyond the Millennium Development Goals deadline of 2015 to the 2030 Agenda for Sustainable Development, a more universal

approach for assessing fragility will be needed that better articulates the diverse aspects of risk and vulnerability (OECD, 2015, p. 19). Failures in authority, service entitlements provision, and legitimacy have a detrimental impact upon states functioning for the benefit of the people living therein.

2.3 Conflict as Stimulus for State Fragility, Underdevelopment, and Forced Displacement

Conflict is a menace to human dignity. As represented in figure 2.1 below, its effects that stimulate forced displacement are typically long-term, inhibit national and regional development, and underlay state fragility in a mutually reinforcing cycle (Ikejiaku, 2009, p. 17).

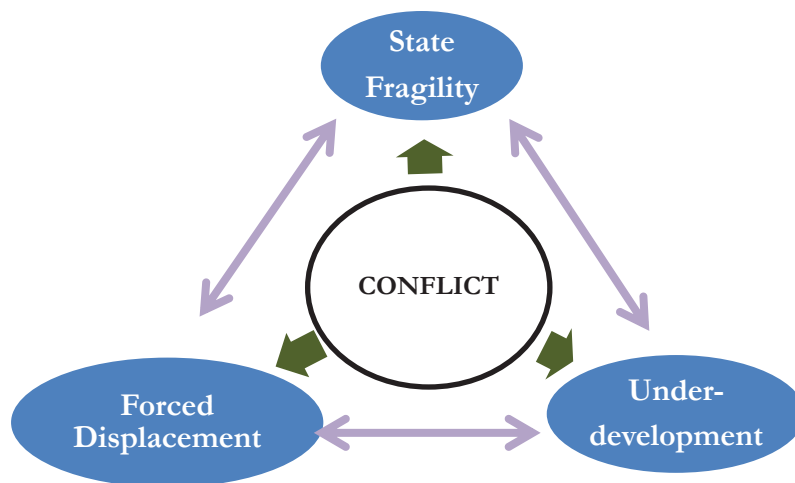


Figure 2.1: Conflict as a Driver for Mutually Reinforced Conditions of State Fragility, Forced Displacement and Underdevelopment (Source: Author)

The Geneva Declaration on Armed Violence and Development in 2008 was ratified by over 100 states. It declares that “living free from the threat of armed violence is a basic human need” (Geneva Declaration Secretariat, 2008, p. iii). Peace and human security is, therefore, a top

2030 Sustainable Development priority, highlighted by Goal 16 to “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” (United Nations, 2016, p. 14). Reducing conflict and violence is essential for tackling state fragility, forced displacement and underdevelopment.

Conflict can be seen as the struggle between individuals or groups over values or claims to status, power and scarce resources in which the aims of the conflicting parties are to assert their values or claims over those of others (Goodhand & Hulme, 1999, p. 14). Conflict, particularly internal armed conflict, tends to occur in the world’s poorest countries (Nygård & Hegre, 2014, p. 3), the costs of which are both direct (loss of life, disability, and destruction) and indirect (prevention, instability, and displacement) (World Bank, 2011, p. 59). The effects of conflict emanating from poor countries also tend to spill over into neighbouring countries to the point where “states bordering countries at war are significantly more likely to experience conflict themselves” (Salehyan & Gleditsch, 2006, p. 1), creating what Wallenstein and Sollenberg (1998) coined ‘Regional Conflict Complexes’ (p. 622). Increasing global interconnections also mean that conflict spill-over can reach beyond regional sites. This can occur through both refugee flows and economic damage brought about by curtailed investment and damage to markets and trade infrastructure (Baddeley, 2011). In 2014, such damage equated to 13.4% of world GDP (IEP, 2014, p. 3).

Encouragingly, there is a gradual declining trend in overall conflict and violence worldwide, particularly internal armed conflict (Nygård & Hegre, 2014, p. 1; HSRG, 2014). However, towards the end of the 20th century

(1989-2014), there was an overall upsurge of global organized violence (Melander, 2015, p. 9; Pettersson & Wallensteen, 2015). The impact of conflict and violence upon poor countries also places them at risk of falling into entrenched cycles of conflict. Cycles of conflict can lead to civil violence, humanitarian crises such as rising poverty and mass forced displacement, and stalled or negative development, factors which perpetually reinforce one another (Gurr, Marshall, & Khosla, 2001, p. 13). It can therefore be concluded that the more lasting the conflict and violence, the more lasting state fragility and underdevelopment will be.

Figure 2.2 below illustrates the interconnected and mutually reinforcing relationship between conflict, state fragility, and underdevelopment where the 50 most deprived countries in each representative index are grouped according to where they occur simultaneously. Accounting for overlaps, a combined total of 79 countries are included across all three indexes. Twenty-two countries listed occur in all three indexes, directly linking conflict and violence or 'low state of peace', with 'high state fragility', and 'low human development'; clearly illustrating the negative, mutually reinforcing relationship between conflict, state fragility, and development. Both Afghanistan and Pakistan are found in this group.

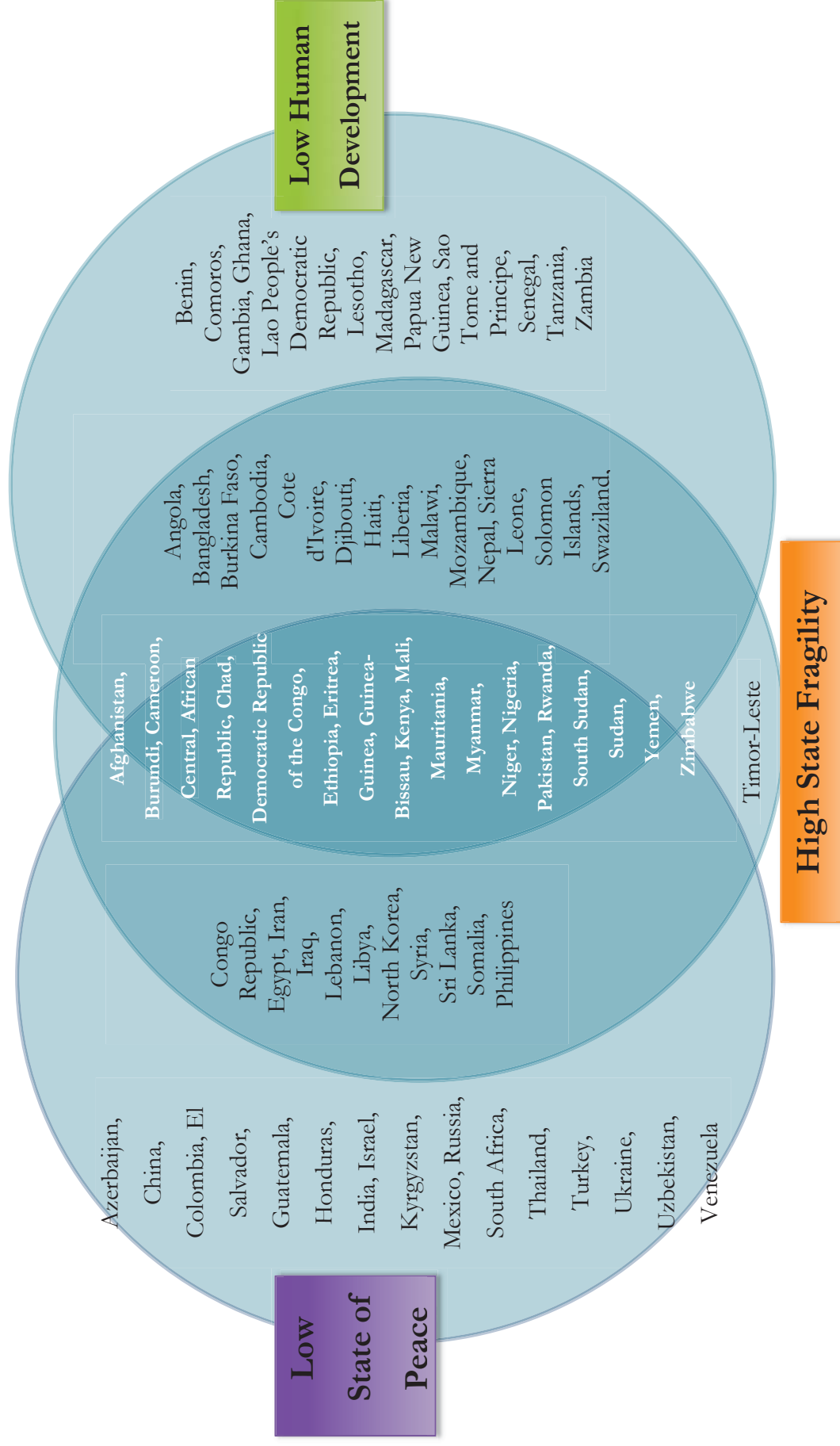


Figure 2.2: The Conflict/Violence - Human Development - State Fragility Nexus: Overlap of the 50 Lowest Performing Countries, 2015. Sources: Adapted from the Global Peace Index, (OECD, 2012); the Human Development Index, (UNDP, 2015); the Fragile States Index (The Fund for Peace, 2015)

Timor-Leste was the only country to have only 'high state fragility', being absent from the two other lists. This demonstrates that Conflict and violence, and fragility are interlinked phenomena as all the other states with high fragility being found to have either a low state of peace, low level of human development, or both (see also OECD, 2012). Twenty-eight countries occurred in two lists, with 31 countries remaining in only one. Out of the 50 worst performing countries, 11 were common to both the Fragile States and Global Peace Indexes but absent from the Human Development Index, indicating a clear link between state fragility and violence, despite the relative absence of low human development. Syria illustrates this best, where the outbreak of civil conflict in 2011 was reflected in its increase in state fragility, going from 48th most fragile country in 2010 (The Fund for Peace, 2010, p. 1), falling to 9th most fragile in 2015 (The Fund for Peace, 2015, p. 19).

Seventeen countries were common to both the fragile states and human development indexes but absent from the state of peace index, indicating a strong link between state fragility and low human development despite the relative absence of violence. Most of these countries are in Africa and are emerging from extended periods of serious conflict and civil war such as Liberia and Sierra Leone (UNDP, 2015, p. 4). Countries found in only one index and excluded from the two are still deprived qualifying as one the 50 worst performing countries, perhaps having been excluded from another list by a small margin but should still be considered vulnerable. Of this group, 18 had a 'low state of peace' and 12 had 'low human development'.

Figure 2.2 above also illustrates that conflict is a vital root cause of underdevelopment due to insecurity and the immediate and lasting effects it has upon governance and stability. There are no countries out of the 50 most deprived simultaneously occurring solely in the Global Peace or Human Development Indexes. This can be explained by these countries being

invariably fragile as well, and therefore occurring in all three index lists. As highlighted in the closing Millennium Development Goals Report (2015), conflict-prone countries struggled most to fulfil their goals, concluding that conflict continues to loom as the largest threat to human development (United Nations, 2015, p. 8).

2.4 Protracted Conflict as the Key Driver for Protracted Refugee Displacement

Refugees and those in refugee-like situations are usually made so as a result of conflict which can be considered the most ubiquitous driving factor of forced migration. By the end of 2014, conflicts, violence and human rights violations had forced almost 60 million people to abandon their homes and seek protection elsewhere (United Nations, 2015, p. 23). The majority of the world's refugees are in protracted situations (see chapter one), meaning that there are more than 25,000 or more refugees from the same nationality who have been in exile for five years or more (UNHCR, 2015b, p. 11). The origin states of the eight largest refugee populations listed in table 2.1 below are embroiled in some sort of protracted conflict or generalised violence which has resulted in varying levels of concomitant protracted displacement (IEP, 2014). With reference again to table 2.1, the extended conflicts, violence, deprivation and fragility fuelling the situations faced by Iraqi, Afghan and Palestinian refugees, along with their respective hosts, are dire having passed thirty-years duration (Betts A., 2014, p. 4).

Table 2.1: Origin and Number of Refugees Hosted by the Top Five Host Countries and the Duration of their Situations

Host Country		Origin Country(s) of Hosted Refugee Population	Estimated Number of Hosted Refugees	Refugee Crisis Duration [years]
1	Turkey	Syria	1.59m	5
		Iraq		30+
2	Pakistan	Afghanistan	1.51m	30+
3	Lebanon	Syria	1.15m	5
		Iraq		30+
		Palestine		30+
4	Iran	Syria	982,000	5
		Iraq		30+
		Afghanistan		30+
5	Ethiopia	Somalia	659,000	20
		Sudan		20
		South Sudan		
		Eritrea		20

Source: Global Trends - Forced Displacement in 2014, UNHCR, 2015c

The safety offered by refugee host states should be considered relative, and not guaranteed. For example, Ethiopia and Pakistan appear in all three indexes represented in figure 2.2 above and can barely be considered better environments for refugees than their origin states. In particular, they are considered the 119th and 154th (out of 162) least safe countries in the world (IEP, 2014, pp. 8-9). Despite the risk of new potential insecurities, these ‘safe havens’ still represent improvements in security over refugees’ homelands. In contrast to this, refugee origin states (table 2.1); Sudan, South Sudan, Eritrea, and Pakistan are currently considered to be four of the most dangerous places

in the world with high levels of human insecurity (HSRG, 2014, p. 86). Contrary to representing a benign situation, the long-term presence of large refugee populations, as noted by Loescher and Milner (2011), has been a primary cause of conflict (p. 5). The presence of refugees is also considered a distinct marker of fragility (The Fund for Peace, 2015, p. 3), particularly those who qualify as ‘refugee warriors’, or combatants who cross borders to regroup, to perpetuate conflict (see Leenders, 2009, and Adelman, 1998).

Protracted conflict and insecurity erodes stability and drives endemic state fragility, protracted refugee displacement, and chronic underdevelopment in a mutually reinforcing interrelationship. Due to the lasting effects that conflict has upon normative state function, “prolonged displacement often originates from the very states whose instability lies at the heart of chronic regional insecurity” (Loescher and Milner, 2009, p. 3; DFID, 2005, p. 5). This regional insecurity has multi-faceted and disastrous humanitarian consequences for already extremely vulnerable refugee populations.

2.5 Protection and Solutions for Refugees in Protracted Situations

The majority of the world’s refugees, approximately two-thirds, are in protracted situations. The UNHCR defines a protracted situation as one in which “25,000 or more refugees from the same nationality have been in exile for five years or more in a given asylum country” (UNHCR, 2015, p. 11). As Loescher, et al. (2008) note, each protracted refugee context is specific, multi-dimensional and encompasses its own set of needs and, therefore, requires its own set of solutions (p. 10). On the ground, shortages and fluctuations in international donor funding places considerable extra strain on both vulnerable refugee and fragile host communities (Betts, A; et al, 2012, p. 42; UNHCR, 2015c, p. 1; UNHCR, 2015d)

Protracted situations create an impasse for many refugees due to inadequate and unsustainable circumstances such as high living costs and recent reductions to humanitarian aid, along with “a lack of employment opportunities, restrictive regulatory barriers, and inadequate access to services such as healthcare and education” (REACH, 2015, p. 7).

Such an impasse is causing increasing numbers of refugees to transit beyond their regions of origin to the post-industrial north, mostly in pursuit of better livelihood and security options. These onward journeys are often undertaken at considerable exploitation-related risks such as human trafficking (UNHCR EXCOM, 2009). Theorist, Roger Zetter (2015) has termed this growing pattern of onward migration 'displacement continuum' which is characterised by,

“a global reach, mixed drivers and flows, irregular or unauthorised movement not easily contained by border control or entry management, and migrants whose status is unclear and who fall outside international protection norms and frameworks” (p. 13).

Those refugees unwilling or unable to risk onward journeys often remain in their protracted exile situations and become the immediate concern of the international refugee protection system, the goal of which is to safeguard the rights and welfare of refugees (UNHCR, 2011b, p. 3).

The ultimate goal of the refugee protection system is to solve refugee crises in a sustainable and permanent way which will allow them to rebuild their lives in dignity and peace (UNHCR, 2003, p. 19). The UNHCR and its partners currently see three ‘durable solutions’ as the best chance for achieving this for refugees: voluntary repatriation, resettlement, and local integration (UNHCR, 2015c, p. 13) The most preferable solution among refugees, and most commonly sought solution by agencies is voluntary repatriation where refugees return to their country of origin un-coerced (UNHCR, 2014b, p. 50).

However, even in post-conflict rebuilding phases, after long periods of absence from home returnees find that their rights to land, property and housing that belonged to them are now contested, or that assets have been usurped by others (Harild & Christensen, 2010, p. 4). Thus, for refugees' homecoming to be viable, origin countries are required to stabilise and improve social and security conditions, and availability of services and livelihood opportunities considerably from when they drove refugees away in the first place.

The most critical aspect to the success of any lasting refugee solution strategy is refugees' access to sustainable livelihood opportunities (Harild & Christensen, 2010, p. 4; Long, 2009, p. 2). Livelihood opportunities are often scarce in refugee camps which forces refugees, particularly protracted refugees, to seek work in host-cities with already saturated labour markets, (Refugee Studies Centre, 2011, p. 16; UNHCR, 2008). The need to ensure livelihoods can be both positively and negatively affected by the embracing of 'refugee' as a category. As Van Hear (2003) points out, on one hand categorisation may give refugees access to resources and on the other, it may 'root', or contain people geographically and undermine means of livelihood that depend upon mobility (p. 14).

In the context of Afghan refugees in Pakistan, the three durable solution options can be considered one-dimensional because all three are "based on the idea that solutions are found when movements stop" (Monsutti, 2008, p. 59). Adhering to static solutions undermines the reality that mobility between Pakistan, Afghanistan, Iran, and beyond, has historically been and remains, a livelihood strategy for refugees. By restricting refugee movements, an essential livelihood option is extinguished along with the sustainability and suitability of the solutions currently being pursued.

2.6 The Global Refugee Burden

As the principal arbiter of global refugee protection, the UNHCR relies upon its ability to negotiate a framework of global solidarity and cooperation towards refugee protection and pursuit of durable solutions. Typically, this aimed to link financial incentives, resources, and development assistance available from Northern states as compensation for refugee protection, typically provided by Southern host state (Betts A, 2006, p. 12). Refugee protection activities undertaken by the UNHCR are dependent upon Northern donor-state contributions, which in many cases fall drastically short (UNHCR, 2015d). The UNHCR must therefore walk a political tightrope between its legal and human rights obligations, and the political concerns of donor, transit, and host states (Adelman, H, 2001, p. 10), all of which in a 'post-September 11th world', have national and regional security at the heart of their concerns.

Refugees, particularly those in protracted situations emanating from states embroiled in conflict are considered a potential source of instability for host states. Possible affiliations to non-state actors, insurgents, or terrorist groups make them risky 'guests' for asylum states and with few economic and social opportunities for young refugees make them targets for recruiters (Loescher G., Milner, Newman, & Troeller, 2008). However, despite UN Security Council and UN General Assembly concerns regarding refugees and asylum seekers being possible terrorists, as explained by Goodwin-Gill (2008), legitimate refugees have rarely, if ever, been guilty of terrorism or incitement (p. 2).

In the context of Northern-centric policies, it is easy to see how refugee populations can become subject to political manipulation, in both the North and South. This has certainly been a characteristic during nearly four decades of the Afghan refugee crisis, which was both the longest running under UNHCR's mandate, and largest in the world until it was overtaken by Syrian refugee crisis in 2015 (European Commission, 2016, p. 1). Afghan refugees in

Pakistan have been subject to considerable political manipulation, most notably, their militarisation against the Soviet Union by both hosts Pakistan and international Western governments (Grare, 2003, p. 88; Murshid, 2014, p. 9). As outlined in chapter four of this report the series of conflicts that have plagued, and continue to plague Afghan peoples throughout their protracted exile have left the country in ruins and damaged any realistic hope of durable solutions to their displacement.

2.7 Chapter Conclusion

This chapter has looked at state fragility as a key concept with regards to refugee protection due to, particularly conflict-affected fragile states, being both the origin and host sides of the international border. Therefore, state fragility is a key concern moving forward towards the 2030 Agenda for Sustainable Development agenda (ASD2030). This chapter noted that state fragility is a multidimensional concept, rooted in historical economic and political transnational relations. The chapter also established the definitional framework through which state fragility will be conceptualised and analysed in this report as state failures of authority, legitimacy, and provision of service entitlements to citizens and residents.

Conflict is the key stimulus that unites state fragility, underdevelopment and forced displacement in a mutually reinforcing cycle. This conclusion can be asserted following the examination of three commonly-referred to indexes; the Global Peace Index (2015), Fragile States Index (2015), and the Human Development Index (2015). This exercise showed that a mutually reinforcing cycle exists, particularly for those countries that have, or are undergoing protracted conflicts and generalised violence. Protracted conflict was also found to be concomitant with protracted forced displacement.

This chapter also concludes the most sought after solutions by refugees themselves, host states and international actors, that of refugee repatriation, was often the most difficult to attain for refugees in protracted situations. This is due to the sustained causes of refugee flight, for example, protracted conflict, insecurity, and lack of livelihood opportunities. Refugees that cannot find work opportunities often risk their lives migrating onward from neighbouring host countries, particularly to industrialised countries (Van Hear, 2004, p. 3). Finally, burden sharing related to refugee protection represents an uneven relationship between the global North and South. Both host and donor countries have a propensity to politicise the plight of refugees, while not living up to donor pledges and placing increasing difficulty upon the refugee protection system and the refugees themselves.

The next chapter contextualises Afghanistan as both a fragile state and the origin of one of the worst and most protracted refugee crises in the world. It focuses principally on the history of on-going conflict and insecurity as key driving factors which forced millions of Afghans from their homes, and through the inherent devastation, kept them away.

CHAPTER THREE:

Afghan Refugees in Crisis: Conflict, Protracted State Fragility, and the Humanitarian Response

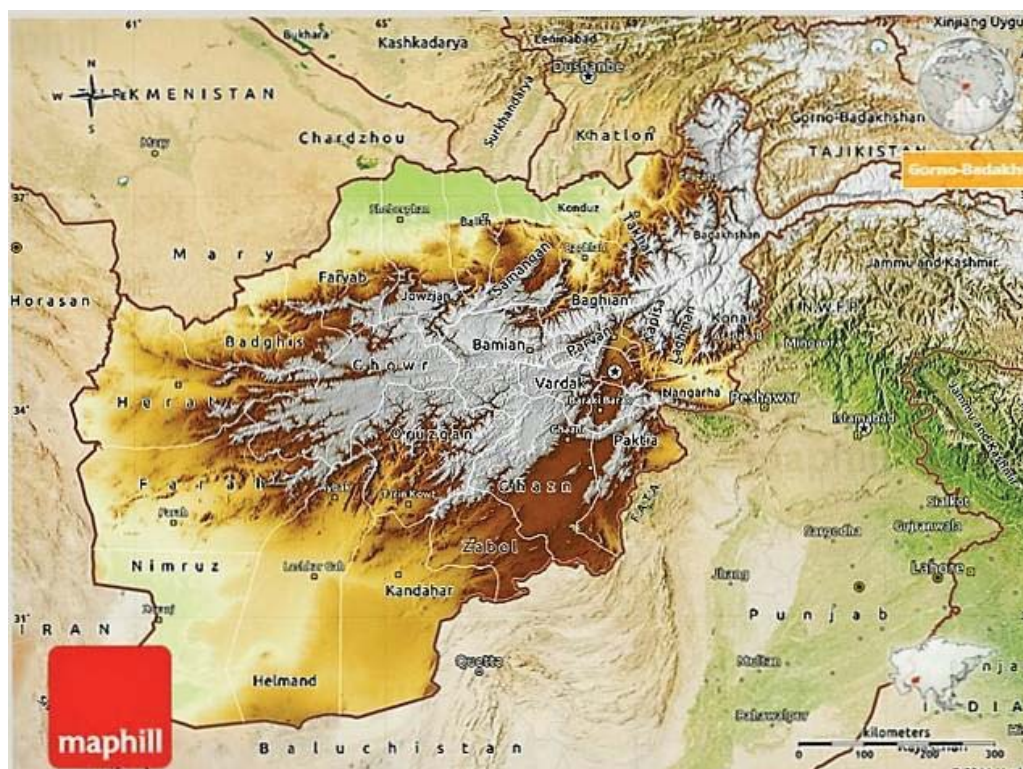


Figure 3.1: Afghanistan and its Neighbours. (Source: Maphill, 2015)

3.1 Chapter Introduction

Having explored the mutually reinforcing processes born out of conflict, we now examine Afghanistan, a classic long-running example of this. In order to contextualise the protracted Afghan refugee crisis in Pakistan, the aim of this chapter is to first offer a brief examination of Afghanistan as one of the most fragile states in the world. Second, to provide an analysis of the successive conflicts which forcibly displaced a large proportion of Afghanistan's population and the reactive patterns of forced migration these triggered; and finally, to summarise the humanitarian response to the crisis by the international community and refugee hosts Iran and Pakistan.

As illustrated in figure 3.1 above, Afghanistan is a landlocked country . It is bordered by seven countries with Turkmenistan, Uzbekistan, and Tajikistan to the North; Pakistan to the East and South; Iran to the West; and China's Sinkiang Province in the Northeast. This remote and strategically significant region has historically proved irresistible to numerous aggressors and has long been fought over, despite the forbidding terrain of the Hindu Kush mountain range and the vigour and bravery of its people protecting it.

Yet, no natural barrier could repress the battery of modern weaponry unleashed by the Soviet Union during the Soviet-Afghan War (1979-89). This invasion moved Afghanistan to the forefront of late 20th century superpower conflict and “with inexorable swiftness, the old Afghanistan was shattered to the outrage of the entire civilised world” (Michaud & Michaud, 1980, p. 6). Following the eventual capitulation of the Soviet Union was the Afghan Civil War (1993-96), then a period of Taliban rule (1996-01), and finally occupation by American-led Coalition forces after the attacks on 11th of September 2001.

Afghanistan's people have borne the brunt of external invasions and numerous internal civil conflicts, the cumulative effects of which have outwardly characterised Afghanistan as a society in perpetual conflict and destitution. The successive conflicts mentioned above have forced the Afghan people into a protracted series of forced mass-migrations and returns. According to the latest UNHCR figures, Pakistan currently hosts approximately 2.6 million refugees mostly originating from Afghanistan's cities and towns while Iran hosts nearly one million refugees (UNHCR, 2015g, p. 1). Nearly one million Afghans are internally displaced (UNHCR, 2015: p. 5).

3.2 Afghanistan: An Archetype of State Fragility

Afghanistan has historically been, and continues to be considered one of the poorest, most underdeveloped and fragile states in the world. Due to Afghanistan's unpredictable security situation, resource scarcity, and lack of government capacity and stability, it is an archetype of the correlation between conflict, fragility and underdevelopment mentioned in chapter two above (chapter two.2).

Three key development indexes rank Afghanistan near the bottom globally. The 2015 Fragile States Index (2015) ranks Afghanistan as the 8th most fragile state in the world (tied with Syria). With a combined score of 107.9 (p. 7), Afghanistan ranks as one of 12 countries with a fragility status at the level of 'high alert' (p. 7; see figure 1.2). To elaborate upon this Fragile States Index ranking further, with a score of 10 meaning extreme fragility, Afghanistan scored above 9 out of 10 in the categories of 'Demographic Pressures' (9.3), 'Refugees/ IDPs' (9.1), 'State Legitimacy' (9.7), 'Security Apparatus' (10), 'Factionalised Elites' (9.3), and 'External Intervention' (9.8) (ibid, p. 6). Afghanistan also scored above 8.5 for 'Group Grievances' (8.9), 'Economic Decline' (8.6), and 'Human Rights' (8.6) (The Fund For Peace, 2015, p. 7). The 2015 Global Peace Index ranks Afghanistan 160th out of 162 countries (IEP, 2014, p. 9) despite its 'external conflicts fought' score improving due to the withdrawal of NATO forces at the end of 2014 (IEP, 2014, p. 10). As a 'low income country under stress' (LICUS), Afghanistan also appears on the World Bank's Harmonised list of Fragile Situations (World Bank Group, 2015, p. 1).

A wide array of issues contributes to Afghanistan's on-going fragility. With limited freshwater resources, harsh winters and hot summers mean sparse rainfall and water scarcity, and with only 11.9% arable land (CIA, 2015, p. 1), Afghanistan has had to rely on high-margin cash crops such as opium, smuggling and collection of transit fees, and foreign aid for survival.

Continuous conflict has led to extreme and entrenched human insecurity and vulnerability resulting in seemingly insurmountable development challenges. These are reflected in the current Human Development Index which ranks Afghanistan at 169th out of 187 countries, with a status of 'low human development' (UNDP, 2015, p. 162).

Continued conflict and insecurity carries with catastrophic domestic fallout and places tremendous pressure on any state to achieve development goals. For a state with few resources and entrenched fragility, it has been impossible for Afghanistan to initiate development programmes (United Nations, 2014, p. 9). For example, because Afghanistan was recovering from decades of conflict, the Afghan Government endorsed the 2015 Millennium Development Goals (MDG) Declaration four years late, in March 2004, with a target for reaching its country-specific goals set at 2020 (Afghanistan NDS, 2010, p. 8).

Examining Afghanistan briefly in the fragility framework of state legitimacy, authority, and capacity to deliver service entitlements outlined in chapter 2, Afghanistan fares dismally. Its lack of government legitimacy and accountability is a major cause of instability (Elhawary, Foresti, & Pantuliano, 2010, p. 18). For example, the UN-led Bonn Agreement in 2001 was designed to install a functioning Afghan government but excluded key regional players and shied away from dealing with issues related to past abuses and human rights violations. Critics saw this agreement as "an illegitimate attempt to reconfigure domestic power structures to meet external interests" and legitimise the current Afghan government, whose illegitimacy remains a major obstacle to achieving peace and stability in Afghanistan (Goodhand & Sedra, *Who Owns the Peace? Aid, Reconstruction and Peace-building in Afghanistan*, 2009, p. 14).

Afghan government authority suffers from the absence of effective

accountability, institutional infrastructure, and surrogate control by external international authorities through the influx of aid and military resources (Wilder & Gordon, 2009, p. 1). The lack of monopoly of the use of force due to the operations of numerous armed factions, including the overbearing presence of international military forces, has also undermined Afghan government authority. Government capacity is also highly eroded. A high incidence of corruption and insecurity stifles the mobilisation of resources. The 2016 Corruption Perceptions Index (Transparency International, 2016) ranks Afghanistan the third most corrupt country out of 167, the prevalence of which feeds the cycle of on-going conflict (p. 11). The next chapter takes a detailed look at the historical narrative of conflict-induced forced displacement that has plagued the Afghan people for nearly four decades, including those who have returned home.

3.3 Driven from Home: Protracted Conflict, Protracted Fragility, Displacement and Return

3.3.1 The Tragic Carousel of Conflict in Afghanistan

Chapter two above illustrated that conflict simultaneously drives forced migration, state fragility, and underdevelopment. This chapter aims to contextualise Afghanistan's vulnerability through its recent history of conflict and fragility, and the patterns of forced migration they triggered. Four decades of fragility and insecurity in Afghanistan has created a perpetual refugee class the size of a small country. The refugee crisis defies easy solutions and continues unabated. As depicted in figure 3.2 below, at the time of writing the UNHCR considered approximately four million Afghans 'persons of concern', or 12% of Afghanistan's overall population of nearly 30 million (Central Intelligence Agency (US), 2015). Over 2.6 million of these are refugees and

nearly one million are internally displaced (UNHCR, 2015j, p. 1).

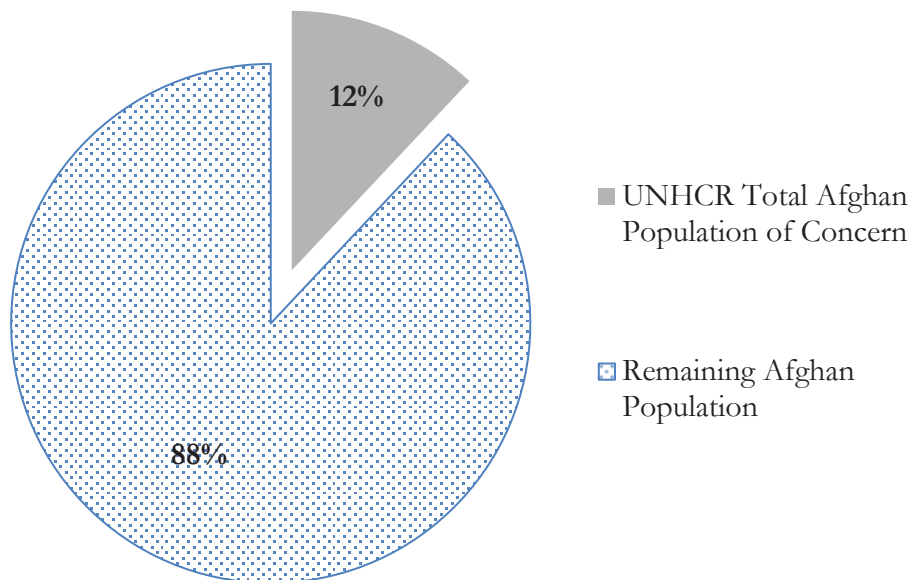


Figure 3.2: UNHCR Afghan 'Persons of Concern' in Relation to Afghan Population – 2015. Source: Adapted from UNHCR Population Statistics (UNHCR, 2015j)

The current severity and entrenchment of Afghanistan's overall fragility is unquestionably due to the upheaval caused by the series of four main conflicts spanning the last four decades, which have caused vast loss of life and displaced millions. These conflicts and their consequences will be briefly outlined below.

From the time of Afghan independence in 1919, warm political relations with the Soviet Union led to financial investment in Afghanistan and would provide the basis of a communist coup in April 1978 (Grau & Cress, 2002, p. xxii). As a new Soviet patron-state, the Democratic Republic of Afghanistan's vision ran counter to the norms and customs deeply embedded in Afghan traditional social structures. Afghanistan's long-held institution of resistance to non-Afghan interference led tribal mujahedeen (warriors) to declare jihad (struggle)

against the new communist-backed regime. The Soviet leadership decided that military intervention was the only way to rescue their client state from anarchy and on the 24th of December 1979, became yet another invader in Afghanistan's story. The ensuing war pitted the mechanised military potency of superpower Russia against mostly Afghan mujahedeen guerrillas, and ensured that the war was long and destructive (Grau & Cress, 2002, p. 15).

Eventually, unyielding guerrilla tactics from mujahedeen, who were armed and financed by the United States through Pakistan's security services (ISI), and the tremendous cost of the war to Russia's treasury, culminated in a Soviet withdrawal in February 1989. By the beginning of the 1990s, the Soviet Union had dissolved, ending the Cold War with the United States. Afghanistan, one of the poorest countries in the world prior to the war, was in tatters. Estimates of between 850,000 and 1.5 million civilian casualties accompanied a refugee crisis unprecedented in human history (Sliwinski, 1980, p. 39; Khalidi, 1991).

However, peace was short-lived. The power vacuum that followed the capitulation of Russia stimulated a civil war between Afghan mujahedeen (warrior) factions who were unable to agree on joint governance arrangements (BAAG, 2003, p. 7). By 1994, warlord-run tribal armies fought for control of the power centres and left 50,000 dead and the Northern capital, Kabul, in ruins. Kandahar in the South was divided and civilians "had little security from murder, rape, looting, or extortion" (Human Rights Watch, 2001, p. 15). It was this nest of warring tribal factions that provided the catalyst for the emergence of the Taliban.

During the early 1980s and '90s, Pashtun religious leaders and ultra-conservative groups from Saudi Arabia funded madrassas (schools) to provide selective religious education to Afghan refugee populations, mostly the sons and orphans of mujaheddin fighters. Alongside basic religious teachings,

students were taught that the divisiveness and lawlessness in Afghanistan could be fixed by the creation of a strict Islamic state. The 'Taliban' (students) had grown to more than 25,000 fighters and by mid-1995, and controlled most of Western and Southern Afghanistan.

Initially, the Taliban brought relative peace and stability to the war-torn population and were welcomed (Rashid, *Taliban: The Power of Militant Islam in Afghanistan and Beyond*, 2010, p. 5). However, resentment was soon felt due to the Taliban's anti-Western and anti-Shi'a positions, restrictions imposed based on rigid readings of Islam, and the strict application of Pashtun tribal social code, '*Pushtunwali*'³. As the Taliban moved to take over Northern Afghanistan in 1996, threatened former mujahedeen groups formed a 'Northern Alliance' to oppose them and more fighting took place across the country.

After al-Qaeda claimed responsibility for the 11th September attacks in 2001, the United States and United Kingdom (with the help of Pakistan) launched 'Operation Enduring Freedom' in Afghanistan to dismantle Al-Qaeda's Afghan operations and remove its sympathisers, the Taliban, from power (Bailey & Immerman, 2015, p. 57). Unseating the Taliban from power proved easier than eliminating them entirely. Despite tremendous firepower, a Taliban guerrilla insurgency against Coalition occupation continues to this day. Ceaseless war in Afghanistan over the last nearly four decades has meant between 106,000 and 170,000 civilian deaths have occurred between 2001 and the end of 2013 (PSR, 2015, p. 78).

³ According to Ewans (2002), *Pashtunwali* is "a part feudal and part democratic ethos, an uncompromising Muslim faith and a simple code of conduct. Although the rigidity of this code, the *Pushtunwali* has been diminishing over the years, it still establishes obligations of revenge (*badal*), hospitality (*melmastia*), and sanctuary (*nanawati*). Questions of honour (*namus*) and disputes of an economic or political nature have meant that private vendettas [which can last generations] and more generalised conflict have been endemic features of *Pushtoon* life" (p. 5).

3.3.2 Afghan Conflict-Forced Migration Patterns

Each successive conflict period outlined above triggered the forced migration of Afghans that slowed or reversed with the relative stability of conflict cessation or subsidence. As figure 3.3 highlighted point 'A' illustrates below, at its worst in the aftermath of the war with the Soviet Union (1990), over 3.25 million, mostly ethnic Pashtuns, had fled to neighbouring Pakistan, another 3 million had fled to Iran (including Shi'a and some ethnic minorities), while many more Afghans were internally displaced (see figure 3.3 below; UNHCR, 2015, p. 2). At the end of the war, large-scale repatriation of refugees took place until the Afghan civil war and rise of the Taliban (figure 3.3, highlight point 'B') triggered a return exodus of Afghans to Pakistan and Iran, including ethnic minorities and remaining educated elites and professionals in fear of Pashtun-Taliban discrimination.

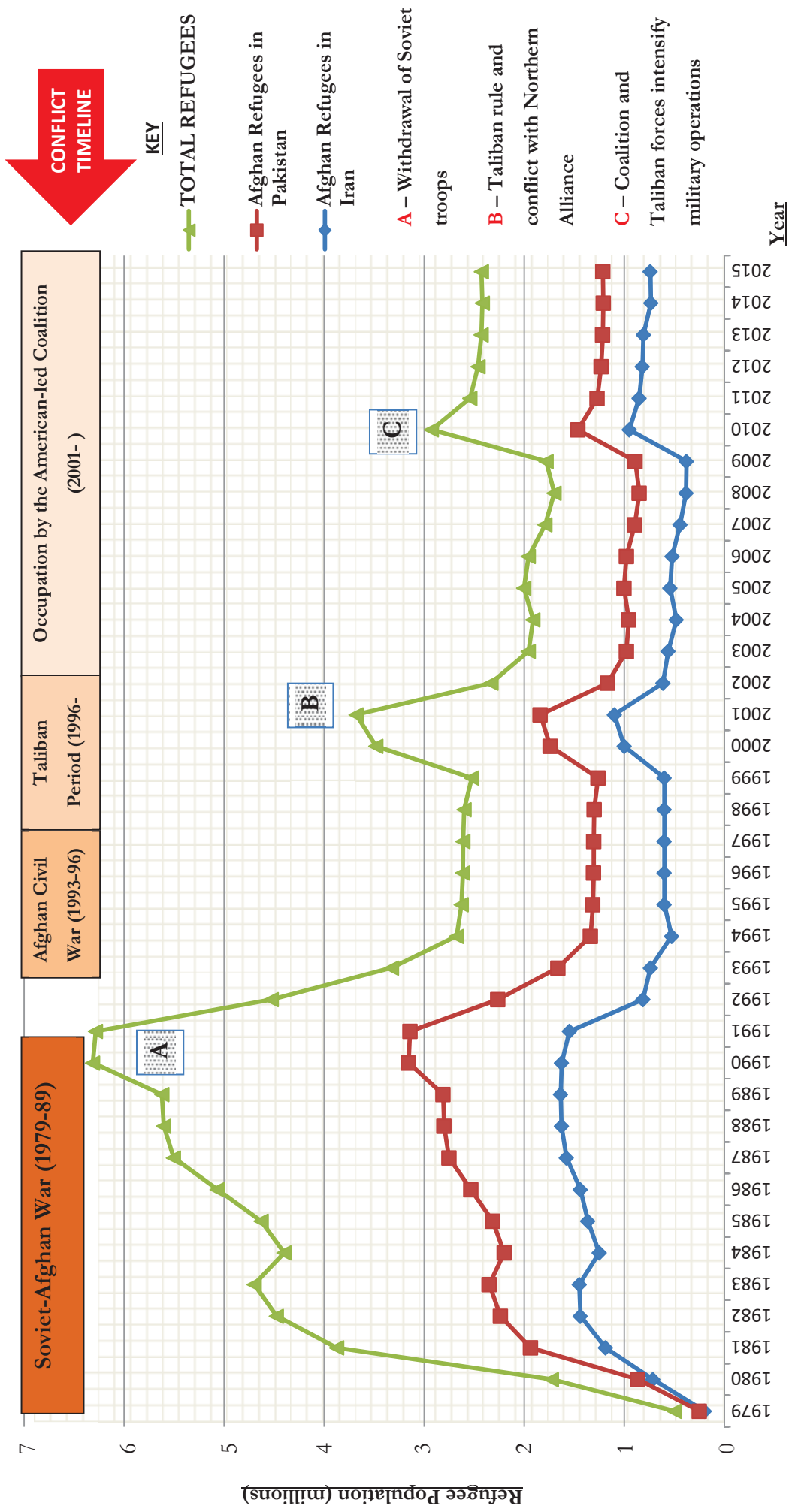


Figure 3.3: Afghanistan Conflict Timeline and Refugee Movement to Iran and Pakistan from 1979-2015

Sources: Adapted from UNHCR refugee statistics up until 2013 (UNHCR, 2015l, p. 1); Data for 2014 and 2015 sourced UNHCR country-specific update reports for Iran, (UNHCR, 2015g, p. 2), and Pakistan, (UNHCR, 2015, p. 2).

By the end of Taliban rule in 2001, the UNHCR recorded an estimated 1.2 million people as internally displaced (UNHCR, 2002, p. 9). The relative stability accompanying the 2001 US invasion of Afghanistan saw another wave of refugees return home. An increase in assaults between the occupying forces and the Taliban across Afghanistan during 2009-2010 stimulated a third exodus in as many decades. Figure 3.3 above at highlight point 'C' shows a total upsurge of 1.4 million Afghans who once again registered as refugees⁴. In addition to an increase in refugees, "by mid-2014, 683,000 people were internally displaced by the conflict affecting 30 of the 34 Afghan provinces", more than half of whom live in urban areas (see figure 3.3 below; UNHCR, 2015e, p. 1).

Afghan refugee repatriation has clearly mirrored periodic and relative improvements in security and may be considered a rebound effect (see figure 3.3 below). Borders are criss-crossed as dictated by conflict situations in Afghanistan intensifying or subsiding. An important nuance of this back-and-forth Afghan migration in the case of Pakistan centres upon historical border porosity between the two countries. Known as the Durand Line, the Afghan-Pak border was inherited from the time Afghanistan neighboured British India in 1893 as a way to definitively map Britain's line of control (Razvi, 1979, p. 35; Qaseem, 2008, p. 93). Today, whilst internationally recognised as Pakistan's 'Federally Administered Tribal Areas' (FATA), it is effectively controlled by ethnic Pashtun tribes and thus remains contested by Afghanistan (see chapter four). Many Pashtun Afghans consider this territory part to be part of Afghanistan in principle. The majority of Afghan refugees are located in this region to the east of the Durand Line in Pakistan's FATA and Peshawar in the northwest, and Balochistan and Quetta in the southeast (see chapter four, figure 4.1).

⁴ Refugee registration and documentation is now under the purview of Pakistan's National Database & Registration Authority (NADRA)

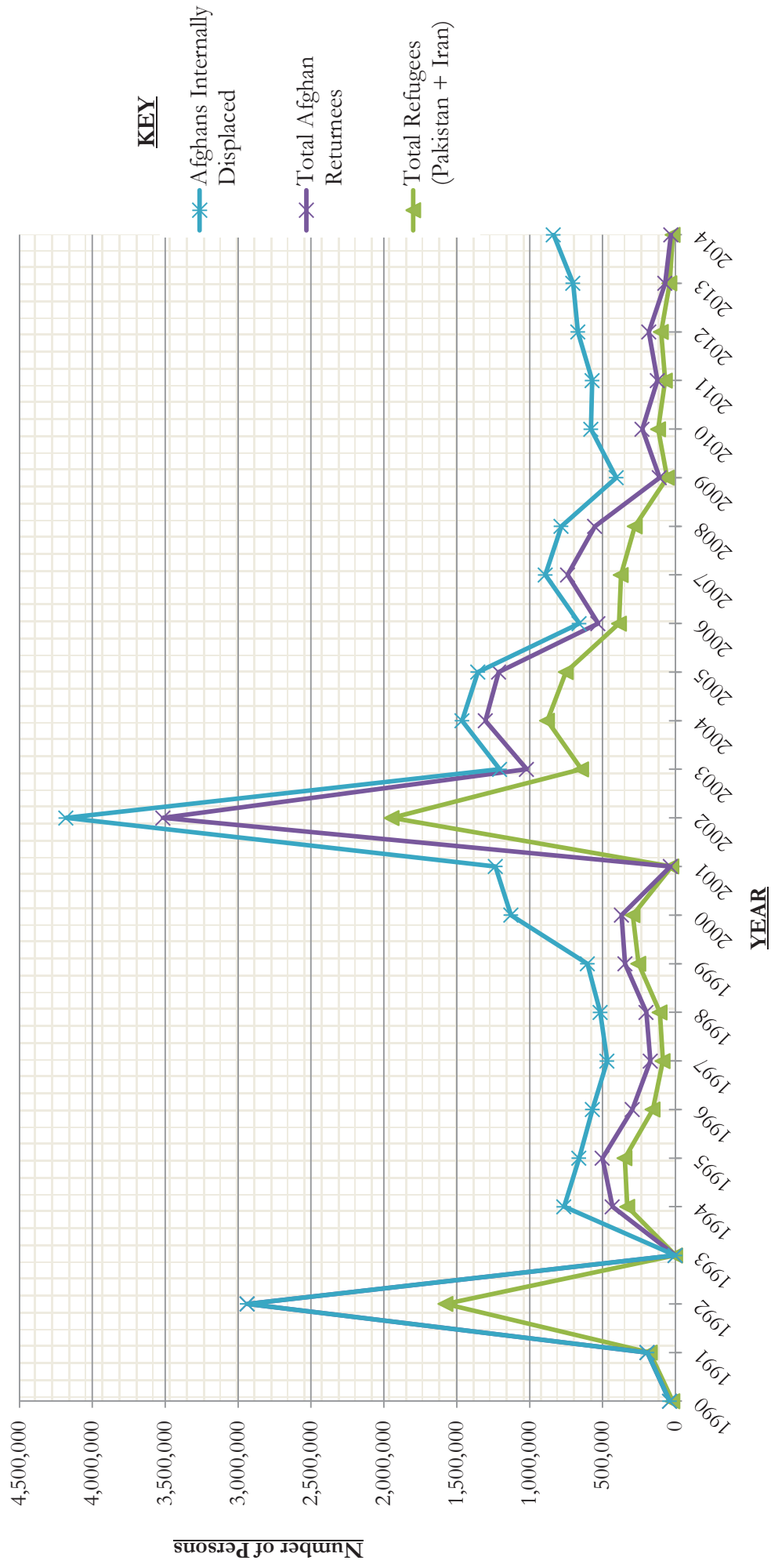


Figure 3.4: Afghan Refugees and Returnees from Pakistan and Iran, and Internally Displaced Persons - 1989–2014.
Source: UNHCR Population Statistics (UNHCR, 2015, p. 1)

Repatriation has also been an on-going strategy by the UNHCR and host countries as an attempt to alleviate host burden and bring normality to the region. As can be seen in figure 3.3 above, repatriation figures rose sharply at the close of each conflict mentioned above during periods of relative security. For example, The Soviet withdrawal in 1989 triggered a mass-return movement, which meant that half of recorded refugees from the war had repatriated by 1994. Another mass-repatriation event occurred after the fall of the Taliban in 2001. Other waves of refugees repatriating have accompanied the short post conflict periods, but handicapped by the fragility of Afghanistan itself (Long, 2013, p. 139; Kronenfeld, 2008, p. 43).

3.4 Good Neighbours: The Global and Regional Response to the Afghan Refugee Crisis

3.4.1 The International and Regional Response to Afghan Forced Migration

Until the recent Syrian war reached its fourth year, generating nearly 4 million refugees (UNHCR, 2014b, p. 1), the Afghan refugee situation was the largest that the UNHCR (and neighbouring governments Iran and Pakistan) has been called upon to deal with. Throughout the Afghan-Soviet war, Afghanistan's neighbours, Pakistan and Iran, along with international humanitarian organisations, rallied to assist the Afghan civilian population. From the beginning of the refugee crisis, the response has been a multilateral one.

The United Nations Development Programme (UNDP) led the initial response until the Pakistan Government formally requested UN Refugee Commission (UNHCR) assistance in April, 1979. By October 1979, the UNHCR had an office in Islamabad and an assistance fund of 15 million US dollars (Cutts, 2000, p. 116). In close partnership with the Government of

Pakistan, they began the process of registering and providing for the thousands of people flooding out of Afghanistan (Schoch, 2008, p. 4). During the Afghan-Soviet war intervention period, international and international outcry to both cease and ease the violations related to the conflict (Human Rights Watch, 1991, p. 28). Joint action by United Nations agencies led by the UNHCR included the UN Children's Fund (UNICEF), the UN Development Programme (UNDP), and the World Food Programme (WFP).

In addition to UN agencies, dozens of international non-governmental organisations (INGOs) supplied refugees with emergency food, water, healthcare, sanitation, and education. By the time the Soviet army withdrew, there were over one hundred INGOs involved in Afghan refugee support operations in Pakistan (Cutts, 2000, p. 118). As the various conflicts continued in Afghanistan, however, UN agencies and INGOs have periodically been compelled to withdraw staff from the country, slowing or halting the flow of aid and basic essentials (Lischer, 2005, p. 33; Linder, 2010).

Not all refugees were provided for equally. Conditions experienced and the international response varied widely between Afghan refugees who fled to Iran and those who settled in Pakistan (Cutts, 2000, p. 116). In Pakistan, the refugees shared a common Pashtun ethnicity with host populations, which eased social integration, and the UNHCR provided over 300 'Afghan Refugee Villages' (Centlivres & Centlivres-Demont, 1988, p. 73), whereas refugees who fled to Iran were mixed and included ethnic Hazaras, Tajiks, and Uzbeks with far fewer Pashtuns. Comparatively, camps housed relatively few refugees in Iran where they were more likely to disperse into towns and cities throughout the country; integrating as well as they could into the local communities (Cutts, 2000, p. 117).

Once the emergency refugee situation stabilised by the early 1980s, the need for refugees to rebuild their livelihoods became apparent. The UNHCR began focusing on refugees' need for supplementary earnings, and “repair of the damage caused to infrastructure and natural resources by heavy concentrations of refugees in some areas” (World Bank Group, 2012, p. 1). The UNHCR partnered with World Bank to implement the ‘Income Generating Project for Refugee Areas (IGPRA-I) strategy financed from international grants totalling US \$85.5 million and included input from host population and provided them with durable assets (World Bank Group, 2012, p. 1).

Not all refugees settled into camp life however. Many refugees took advantage of a porous border (see above), for social, political, and economic reasons. As Schmeidl and Maley (2013) note,

"mobility has become not only a key livelihood and survival strategy for many Afghans, but an integral part of their lives [...] possibly two out of three Afghans have been displaced at least once" (p. 131).

The reality for the majority of the refugees is that they have lived most, or all of their lives as exiles and many have never been, or have any incentive to return to Afghanistan (Saito & Hunte, 2007, p. 24). Returnees go back to a country that remains plagued by war, poverty, and lawlessness, are faced with worse living conditions. Upon return, refugees often have to make do with makeshift camps and squatter settlements, and the high probability of internal displacement due to “insurgency violence, landlessness or natural disasters” (Schmeidl & Maley, 2013, p. 131). According to a report by the Feinstein International Centre (FIC) in 2012, for example, 15% of the population are without access to even basic healthcare services and one in three Afghan children are malnourished, with rates far higher in conflict-affected regions (Benelli, Donini, & Niland, 2012, p. 6). Returning home under difficult conditions doesn’t always provide a permanent, sustainable solution to refugees’ plight, and many return to Pakistan or Iran.

3.4.2 Competing Global Crises, Funding Fluctuations, and Fragile Solutions

By the mid-1990s, with the Afghan refugee situation well into its second decade and the advent of a number of new crises in Bosnia and Rwanda, interest in Afghan refugees had waned and ‘donor fatigue’ had set in. A 1995 joint World Food Programme and UNHCR report argued that “many refugees have reached a level of self-sufficiency” and that their “nutritional status is satisfactory” (WFP/UNHCR, 1994, p. 29). The UNHCR announced that it would phase out Afghan refugee assistance by 1998, despite the on-going war between the Taliban and Northern Alliance.

For Pakistan, over two decades hosting refugees coincided with diminished donor funding, further refugee influxes, and a faltering economy and its initially generous welcome had worn thin in Islamabad (Safri, 2011, p. 599). Anti-refugee sentiment had also set in among local politicians, civilians, and the media, which led to increased harassment by non-Afghan locals and deportations of Afghans in Pakistan (Amnesty International, 2001, p. 1). Increasingly harsh camp conditions and particularly the discontinuation in food assistance meant, “more than 70% of registered Afghan refugees lived outside” of camps (Khan, 2014, p. 22). In late 2000, Pakistan officially closed its borders to new Afghan refugee arrivals and forced some to repatriate, at odds with the international legal principle of non-refoulement. (US Committee for Refugees and Immigrants, 2001, p. 5).

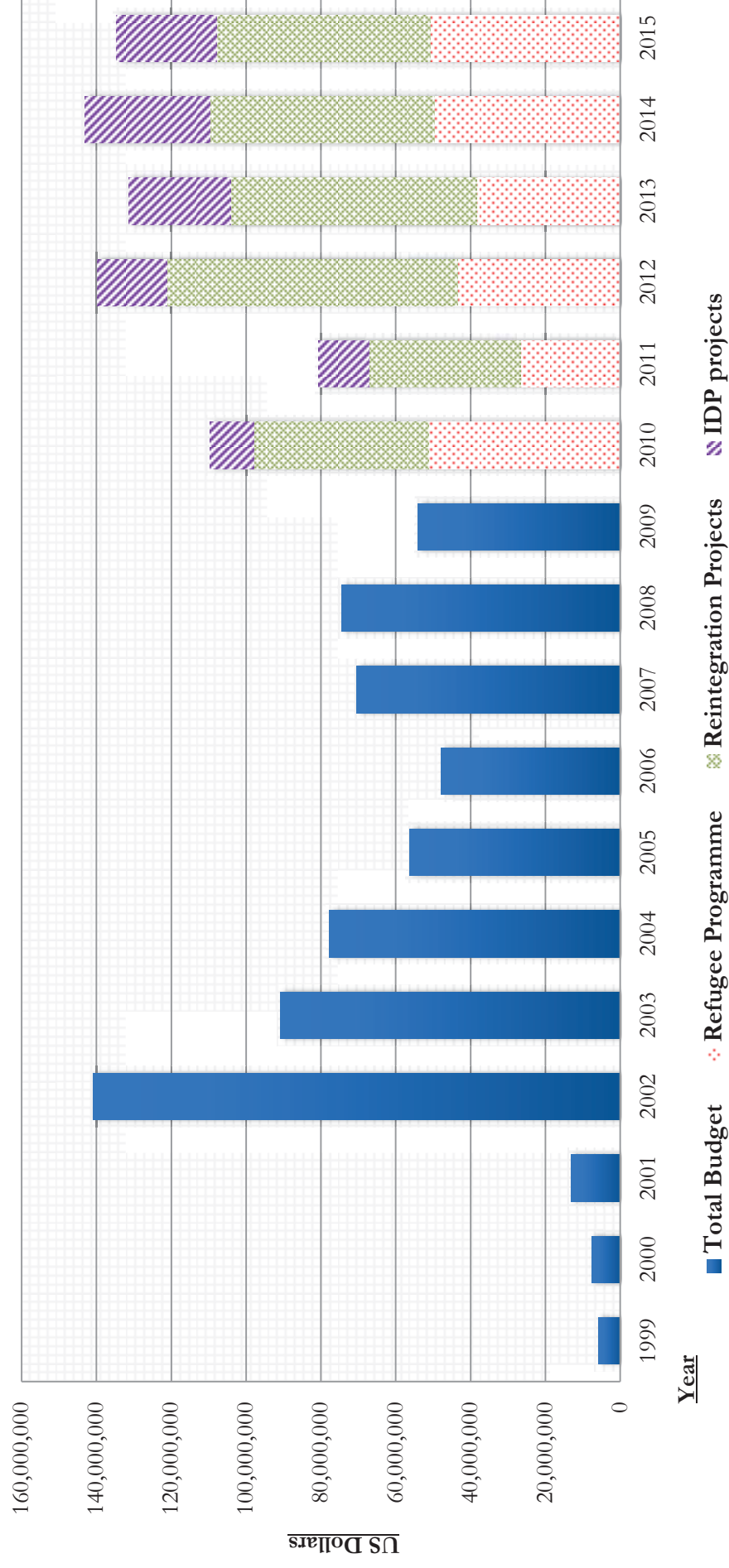


Figure 3.5: UNHCR Afghan Refugee Assistance: UNHCR Total Annual Expenditure, 1999–2015
Source: Statistics extracted from UNHCR Annual Global Reports between the years, 1999–2015

Figure 3.5 above illustrates the low levels of international funding dedicated to Afghan refugees in Pakistan. Resources with which the UNHCR had to operate in the late 1990s were low. This changed after the 11th September 2001 attacks where the focus returned to Afghanistan as the probable location of the attackers. In 2002, with the interjection of the United States and its Coalition partners against the Taliban, the plight of the Afghan refugees was again on the international humanitarian radar and financial aid followed.

3.4.3 The Status Quo of Afghan Forced Displacement and the Refugee Repatriation Solution

In 2008, the UNHCR conceded, “the Afghanistan experience has highlighted the complexity of the repatriation and reintegration process, which has proven to be a much more sustained and complex challenge than initially anticipated” (UNHCR, 2008, p. 9). Well in to its fourth decade, the Afghan refugee crisis had proven intractable. In the search for enduring solutions to declining returnee numbers and persistent problems in the reintegration of returnees (Bialczyk , 2008, p. 14), a quadripartite consultative process was initiated in 2011 involving the UNHCR and the Islamic Republics of Afghanistan, Iran and Pakistan. As a result, the Solutions Strategy for Afghan Refugees (SSAR), a regional multi-year initiative, was formulated (see chapter five). The SSAR aimed to help facilitate voluntary return and sustainable reintegration and provide assistance to host countries (UNHCR, 2012, pp. 12-13).

Afghanistan's fragility has severely hampered the implementation of SSAR resettlement programmes. Despite the return of 5.8 million Afghan refugees since 2002, and the current returnee population of Afghanistan being 20% (UNHCR, 2015, p. 4), corruption and Lack of Afghan Ministerial Capacity have prevented its implementation (SIGAR, 2015, p. 22). In reality, when Afghan refugees do repatriate, they return to a country that remains plagued by war, poverty, and lawlessness, are faced with worse living conditions such as makeshift camps and squatter settlements, and the high probability of internal displacement due to "insurgency violence, landlessness or natural disasters" (Schmeidl & Maley, 2013, p. 131).

3.5 Chapter Conclusion

Afghanistan is an archetype of state fragility. A combination of continuous conflict and insecurity, considerable long-term poverty, ineffective governance, and on-going outside interference has shaped Afghanistan into one of the most fragile states in the world. The concomitant protracted refugee crisis was primarily triggered, and is sustained by a series of four main conflicts beginning with the most destructive, decade-long Soviet-Afghan War (1979-89). Over time, these conflicts have caused enormous loss of life; destroyed infrastructure, destabilised the country, and entrenched Afghanistan's fragility. The legacy of insecurity and lawlessness has also provided nurturing context for factionalised non-state armed groups allowing some, such as the Taliban, to rise to considerable power. Such groups continue to war amongst themselves and nurture Afghanistan's

instability.

Each successive conflict outlined in the chapter above has been punctuated by distinct waves of forced migration, mirrored by ‘rebound’ waves of voluntary repatriation aided by a porous Pakistani border (figures 3.3 and 3.4 above). However, the volatile security situation means that conditions are rarely conducive to large-scale humanitarian action. Operations on the ground oscillate between unpredictability and life threatening, with aid flows to refugees regularly being slowed or stopped. Inconsistent International and regional efforts and relief funding has ensured that the Afghan refugee crisis is now all but terminal.

Now well into its fourth decade, the Afghan refugee crisis is the second largest and most protracted under UNHCR’s mandate and solutions will remain elusive without stabilising Afghanistan. In light of Afghanistan’s high levels of insecurity and fragility, the key UNHCR solution of voluntary repatriation has become very difficult to implement. Overall, the plight of refugees has not improved, and with Pakistan’s ‘welcome mat’ wearing thin Afghan refugees are now facing increasing pressure to ‘voluntarily’ return to an insecure and broken homeland.

The following chapter rounds off the contextual background of the Afghan refugee crisis by examining the fragility facing principal long-term host to Afghan refugees, Pakistan.

CHAPTER FOUR:

Framing a Fragile State: The Case of Pakistan

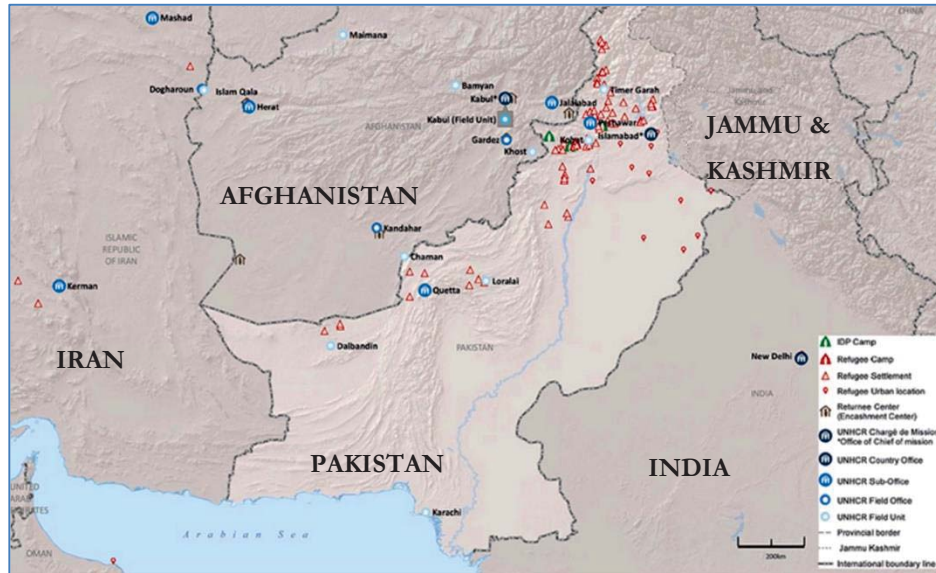


Figure 4.1: The Location of Afghan Refugees in Pakistan.
(Source: UNHCR, 2015, p. 1)

4.1 Chapter Introduction

Having established in the previous chapter that Afghanistan is one of most conflict-affected fragile states in recent history, this chapter looks at Pakistan as both a fragile state and principal host to Afghan refugees. Pakistan was founded as a homeland for Muslims in 1947 during the Partition of India. Today, it is geographically situated in one of the most volatile regions in contemporary world geopolitics. It is also one of the world's most fragile states and host to approximately 1.6 million Afghan refugees, the highest number by a single country in the world (UNHCR, 2015h, p. 4). Located in the Indus Valley, the region that is now Pakistan lies at an intersection of religious and political ideologies (see figure 4.1 above). It has presided over historical processes of civilizational cross-fertilization, and helped

shape international events from as early as the third millennium BC (McIntosh, 2002, p. 142).

This chapter aims to contextualise Pakistan as both a fragile state and ‘fragile host’ to Afghan refugees. It will begin with an examination of Pakistan’s inception as a nation, the political climate from which the idea of a Pakistan grew; then by the event known as Partition and the political instability which followed characterised by the on-going oscillation between civilian and military rule. Using the framework outlined in the Literature Review above, it will then examine Pakistan as a fragile state in the 21st century, explored in terms of state ‘legitimacy’, ‘authority’, and ‘service entitlements’ failures (see Chapter two; 2.1).

4.2 A Fragile Birth: The Political Realisation of Pakistan, Partition and Violent Beginnings

4.2.1 The Road to Partition

Pakistan’s status as one of the world’s most fragile states can be traced back to the mass exodus of refugees from India, mass social and territorial violence, and inequitable resource allocation that trammelled its inception as a nation. These historical (traumas) have plagued Pakistan’s state-building activities, and ensured that the challenge of recovering from state fragility is immense. The story of Pakistan begins with political insecurity.

During the first half of the 20th century, the promotion of democratic institutions the British Raj was received by Muslim leaders as a way of relegating Indian Muslims to minority status in greater India (Cohen, 2004, p. 24; Sir Syed Ahmad Khan, cited in Symonds, 1950, pp. 30-31). The implications of this disadvantage united the ethnically diverse and disparate Indian Muslim population towards national self-determination (Ziring, 1977, p. 385).

After fierce campaigning the Indian Independence Act (1947) ratified a partition plan which re-configured the Indian Subcontinent into two sovereign territories (U.K. Parliament, 1947). The Islamic Republic of Pakistan was founded on the 14th of August 1947, followed by the Republic of India the following day (Indian Independence Act 1947, c. 30). Pakistan was divided further in to West (Punjab, Balochistan and Sindh) and East (Bengal) with over 1600 kilometres of Indian Territory in between (Kulke & Rothermund, 1998, p. 292). The practical application of Partition was immediately problematic.

It was expected that the strategically important province of Kashmir would accede with Pakistan due to a Muslim majority (Kalis & Dar, 2013, p. 122). Fatalistically however, its Hindu ruler, Hari Singh, wanted independence from either side. Fighting commenced immediately and a Muslim insurgency pushed towards the State's capital. Singh's response was to appeal to India in exchange for military assistance. India agreed to help under the condition that Kashmir would become Indian Territory and would march troops and machinery towards Srinagar to counter the insurgency. Singh signed an 'Instrument of Accession', the document by which princely states

contracted themselves to either India or Pakistan on the 27th of October, 1947 in contravention of a prior 'Standstill Agreement' with Pakistan (Indurthy & Haque, 2010, p. 10). (Kaplan, 2008, p. 151)

Altogether Pakistan was apportioned 19% of the population and 23% of the territory of colonial India (Ahmed, 1996: p. 170). The areas that made up Pakistan, with the exception of West Punjab were mostly tribal territories or undeveloped hinterlands ruled over by regional "patrimonial landlords, headmen, tribal chiefs, and religious teachers (ulema)" (Ziring, 1977, p. 392). Pakistan's population had little political consciousness of a modern state. However, strong bureaucratic, legal, and military traditions, a geographically strategic position, and the uniting figure of Muhammad Ali Jinnah, were foundations which a new state could be built upon.

4.2.2 The Legacy of Partition: Violence and the Unjust Apportionment of India's Resources

The 'Radcliffe Line' which splits the Punjab and carves West Pakistan from India was the site of one of the largest mass cross-migrations of the 20th Century (Bharadwaj, Khwaja, and Mian, 2008). As Cohen (2004) notes, "of all the schemes that had been discussed over the years, the plan to create a single Muslim state with two wings [...] was perhaps the most problematic to implement and certainly unprecedented" (p. 39). Having brought the timeline for Independence forward by at least six months, British negotiators had ensured that the process would be predictably chaotic. At the time, Muslims comprised 53% of the Punjab's population along with 31%

Hindus and 15% Sikhs (Census of India, 1941 cited in Baixas, 2008, 3). Heightened sectarian awareness instilled by pre-independence political campaigning combined with a truncated Partition timeline contributed to the outbreak of mass violence that followed.

The resulting number of Partition casualties continues to fuel debate and estimates range from approximately 200,000 (Moon, 1998, p. 23) to 1.5 million (Baixas, 2008, p. 32). Sources that are most likely closer to the truth offer a range between 200,000 and 360,000 casualties (Brass, 2003, p. 75). Accompanying the Partition massacres was the pervasive victimisation of women, a side to the historiography of Partition which has only begun to be explored and understood (Virdee, 2013; and Ali, 2009). Approximately 75,000 women are thought to have been either raped or abducted across the new border on both sides (Pandey, 2001, p. 2; Menon & Bhasin, 1993).

Along with numerous territorial disputes, ensuing mass violence meant that the first crisis facing Pakistan was a refugee one⁵. At least 13 million people were made refugees in the crossover migration, 10 million from Punjab, comprising 4.5 million non-Muslims and 5.5 million Muslims (Hansen, 2002, p. 1). Pakistan's need to resettle millions of new Pakistanis along with other planned nation building activities were severely hampered by India's failure to adhere to Partition terms. India's early lack of cooperation has been continually alluded to during Pakistan's political history (Cohen S. P., 2004: p. 47).

⁵ It should be noted that the idea that state formation (such as the Partition of the Subcontinent) creates refugees is contested. See, Rahman & van Schendel, 2003.

As the backdrop of their shared history, the scars of Partition continue to negatively affect relations between India, Pakistan, and the stability of the region as a whole today. Both historical and contemporary challenges facing Pakistan in particular have ensured that it remains one of the world's most fragile states.

4.3 The Fragile State of 21st Century Pakistan

Pakistan is one of the world's most fragile states. The 2015 Fragile States Index published by The Fund for Peace (2015) ranks Pakistan as the 13th most fragile state in the world with a 'High Alert' score of 102.9, combining 12 aspects (see Chapter one, Figure 1.2). To elaborate on this state fragility score further, with high scores out of 10 representing extreme fragility, Pakistan scored over 8.5 out of ten in 8 out of 12 categories. These categories represent numerous problems facing Pakistan such as 'Demographic Pressures', or effects of population growth on the environment (9). Political tension between groups and the government is represented by 'Group Grievances' (10) is linked to tensions created by lack of 'State Legitimacy' (8.6), 'Factionalised Elites' (9.2), and inconsistencies in upholding 'Human Rights and Rule of Law' (8.4). Pakistan's lack of security was represented by the categories of 'Security Apparatus' (9.6) and the presence of 'External Intervention' (9.3) (The Fund for Peace, 2015, p. 6). Pakistan's recognised protracted refugee burden also contributes to its overall fragility with a 'Refugees and Internally Displaced People' score of 8.9. Pakistan's role as host to Afghan refugees also carries with it a range of long-term social, political, economic, environmental, and security impacts (Puerto Gomez &

Christensen, 2010, p. 19; MacLeod, 2008, p. 335; Rashid, 2008).

Pakistan faces considerable development challenges, with a little over one third of its population settled in urban areas; while two-thirds live in poorer rural or semi-rural conditions (Cohen, 2014, p. 364; OECD, 2015a, p. 15). As with most fragile states, development has been difficult for Pakistan and the state has struggled to deliver on its Millennium Development Goal (MDG) commitments. Pakistan adopted 16 targets and 41 indicators against which progress towards achieving the Eight Goals of the MDG's was measured. Data available for 33 of these indicators reveal that Pakistan was on track to achieve the targets on 9 indicators, whereas its progress on 24 indicators is off track and unlikely to be achieved (UNDP, 2013b). Pakistan also ranks low in the Human Development Index in the world, ranking 146th out of 187 countries (UNDP, 2015, p. 170), and with only 2.4% of GDP spent on education, it has a low literacy rate of 53% (UNDP, 2015, p. 194).

There are myriad and complex difficulties for Pakistan to overcome in almost every area of responsibility to its citizens. Pakistan's combination of violent sectarian divides, "weak governing institutions, and abysmal education, health, and employment conditions make it a textbook example of a fragile state" (Kaplan, 2008, p. 146).

As explained in chapter two (chapter two.5), these challenges can be framed by the relative strengths and vulnerabilities in one or more of three components of 'statehood': service entitlements provision, legitimacy and authority. The following chapter will review Pakistan's

fragility with regards to each of these. First it will examine Pakistan's incapacity to provide basic quality services for all citizens, inclusively manage public affairs towards poverty reduction, and reduce exposure to the impacts of natural disasters; secondly it will look at Pakistan's governance legitimacy failures with regards to restrictions on political participation, civil liberties and media, lack of control mechanisms and accountability, and challenges to enact binding legislation; and finally, this chapter will survey state authority failures related to Pakistan's inability to establish justice through rule of law, protect all citizens, and exercise territorial control.

4.3.1 Fragility Based on Services Entitlements Failures

A key aspect of robust governance is a state's ability to include all people within its geographical bounds in programs of development and services provision (Naude, et al, 2011, p. 48). Because Pakistan was founded as a homeland for India's Muslims, religion plays a significant role in Pakistani society. The breakdown in Figure 4.1 illustrates the dominance of Pakistan's Sunni Muslim community (84%), followed by a large Shia minority (12%), and the least considered minority of Christians, Hindus and people of other faiths. Although recent consecutive Pakistani governments have made some progress integrating the majority of its religious and ethnic groups, institutional over-centralisation has ultimately enhanced sectarian disputes, often to the detriment to minority groups.

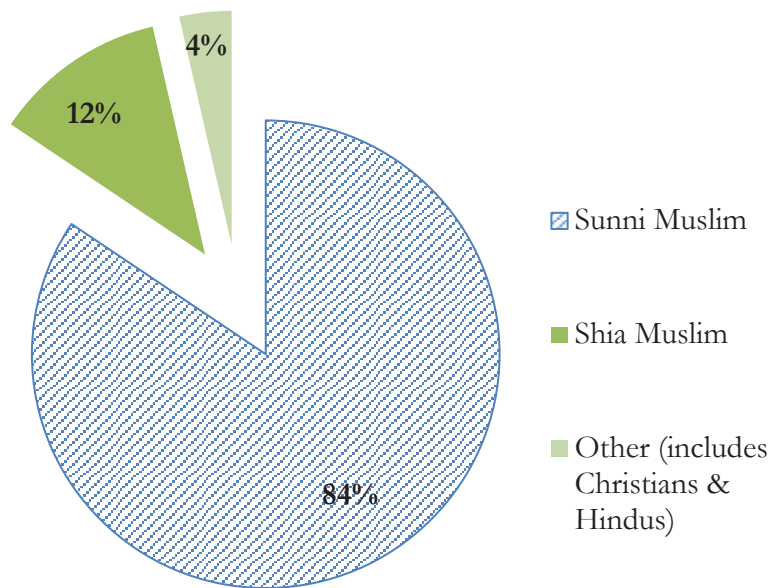


Figure 4.2: Religious Groups in Pakistan (Source: US Central Intelligence Agency, 2015)

In addition to these ethnic and religious divisions, resistance to the introduction of Western cultural influences has deepened existing fissures within some traditional religious groups. For some sections of Pakistan's majority Sunni population, religious fundamentalism has spread as a reaction to these cultural changes which is serving to weaken Pakistani civil society and the military (Cohen, 2014, p. 90). Despite state patronage of religious affairs leaning strongly towards Sunni groups, Pakistan's government has slowly drawn politically and economically closer to its Shia-majority neighbour Iran, which provides a diplomatic shield for Pakistan's Shia minority (Kaplan, 2008, p. 153). Pakistan's warming of relations with Iran has been met with indignation by hard-line Sunnis and has further divided communities.

Besides religious differences, the extraordinary diversity of ethnic groups, cultures, traditions, and languages within Pakistan offers significant political opportunity for division. Pakistan comprises five main ethno-linguistic groups, as figure 4.2 (below) explains with Punjabi, Pashtun, Sindhi, Mohajir, and Baluchi, and a number of smaller groups, all competing for shares and influence over state resources.

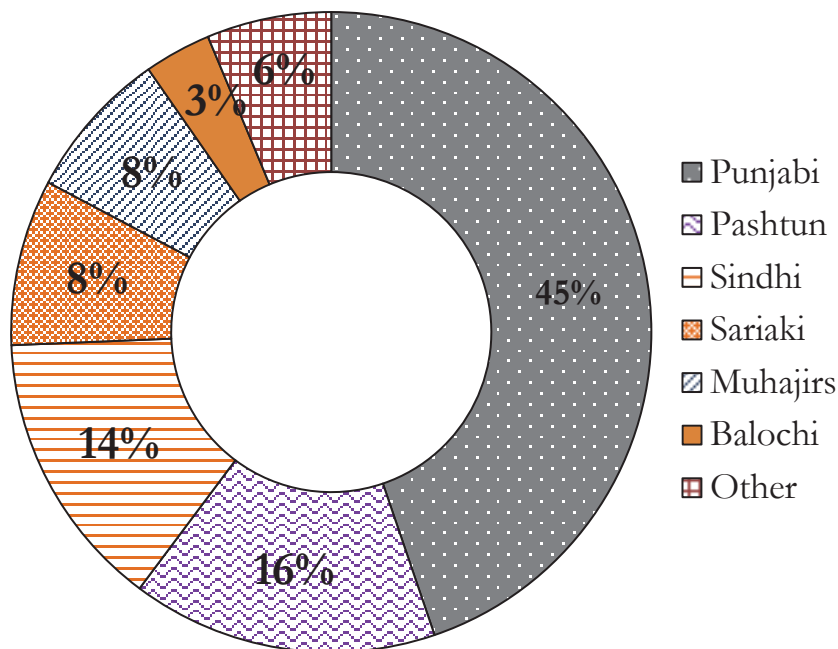


Figure 4.3: Ethno-Linguistic Groups in Pakistan. (Source: US Central Intelligence Agency, 2015, p. 1)

Punjabis represent the majority in Pakistan and limits to non-Punjabi political influence and access to resources has helped impress upon the public that successive regimes are solely concerned with Punjabi interests. This has, at one time or another provoked every other major

group against the state. In practical terms, little centralised Pakistani authority can be seen, something which Kaplan (2008) traces to the military's stranglehold over resources and "the elite's obvious lack of interest in fostering social development among the general population" (p. 155). High levels of institutional incapacity and corruption have not only effected the general distribution of the country's wealth to the social margins, but has also been damaging to Pakistan's economy.

Pakistan's economy is particularly vulnerable to domestic shocks emanating from a number of sources, including political protests and raised significant political uncertainty, natural disasters that affect crops, and terrorism. The recent favourable slump in international oil prices and steady implementation of structural reforms by the government has meant some economic improvement, particularly in the agriculture and services sectors (World Bank, 2015). In addition to these, years of inefficient borrowing has seen Pakistan's public and external debt reach crisis levels, which increased the tax burden and net outflow of resources (World Bank, 2015b, p. 112).

Fragile states also usually struggle to efficiently manage public resources towards poverty reduction and prosperity (see chapter two, section 2.2 above). Internationally, Pakistan has the enviable, if not anxious partnership leverage as an 'energy corridor' to the warm water ports of the Arabian Sea and international markets for the oil and gas-producing Central Asian states and Russia (Sahira & Qureshi, 2007, p. 2033). However, its mismanagement of public resources means that Pakistan faces its own significant energy security crisis with domestic

oil and gas supplies forecast to run dry by 2025 and 2030 respectively (Mills, 2012, p. 5). According to Abbasi, et al, (2014) Pakistan's "expensive fuel mix, poor governance, unprofessional management and irrational subsidies with surging circular debt are dragging the power sector towards total collapse" (p. 4). As a matter of both regional and domestic security Pakistan must not only urgently formulate a coherent energy strategy, but also capitalise on energy trade with its neighbours. This will likely include complex negotiations with India (Mills, 2012, p. 14), Russia (See; Overland, 2009), China (Aneja, 2006, p. 2)⁶, and possibly Qatar (Hussain, 2013, p. 141). Pakistan's unstable energy situation is a major cause of its fragility and the high security risks associated with its current solution. Transnational energy dependence may alleviate some of Pakistan's fragility in the short term, but will potentially lay the foundations for future conflict (Dannreuther, 2010, p. 4).

Pakistan's access to water was restricted by India gaining control over the headwaters of the Indus River at the time of Partition (Siddiqui, 2010). This created a situation of Indian 'hydro-hegemony' and gave India the leverage to turn fertile Pakistan into a desert (Zeitouna & Warner, 2006, p. 439; Ali, 2008, p. 169). Limited control of hydro-sources, along with poor infrastructure has led to inconsistent availability of electricity in many of Pakistan's centres. Unresolved water disputes between Pakistan and India also adds another dimension to the Kashmir conflict due to part of the watershed, the Chenab River, being located in Indian-occupied Kashmir (Baqai,

⁶ China is the currently the only nuclear power plant supplier to Pakistan and is facing considerable international criticism over its bilateral trade agreement (Aneja, 2006).

2005, p. 84; and Price, 2014, p. 3).

The abovementioned challenges to resource management and inadequate infrastructure, significantly increases the impact of natural disasters upon Pakistan's population, particularly the poor. Located in a geologically and climatologically active area, with frequent earthquakes and flooding, Pakistan is highly susceptible to natural disasters. It is also one of the most vulnerable countries in the world to climate change, and ranked 10th on the 2015 Global Climate Risk Index (Kreft, et al, 2015, p. 6; and Khan & Khan, 2008, p. 2). Pakistan suffered its most serious natural disaster events at the start of the 21st century: the 2005 Kashmir earthquake; and the worst monsoon floods in 80 years along the Indus river basin in 2010. In state fragility terms, Pakistan's capacity to respond to natural and civil disasters has been limited by unreliable emergency preparedness infrastructure, and disaster response planning and management systems. Despite the formation of the National Disaster Management Commission (NDMC), and Authority (NDMA) in 2007, Pakistan continues to rely heavily on international assistance and emergency relief donations.

4.3.2 Fragility Based upon Government Legitimacy Failures

Governing regimes need to be able to command at least some public support for state policy in order to be considered durable (Naude, et al, 2008, p. 148). At the time of Partition, a 'triumvirate' of elites consisting of the army, the bureaucracy, and the feudal landlords came to dominate the politics and society of Pakistan, and today "continue

to exercise inordinate influence over public and economic affairs” (Cohen, 2004, p. 45). Although Pakistan maintains a parliamentary democracy (Government of Pakistan, 2015, p. 1), successive coups by the military have repeatedly nullified democratic rule. This, along with corrupt election practices, has led to instability, public mistrust, and the erosion of government legitimacy. During democratic periods “representation of ethnic interests at the provincial level and greater negotiation between the centre and the provinces” reduced both resentment toward the state and sectarian conflict (Kaplan, 2008, p. 154).

As Giunchi (2014) notes, neither elected nor unelected governments have been attentive to the public health and education sectors, especially in the poor rural areas, but rather, spent considerable amounts of money on defence (p. 6). Military and civilian elites consolidate their power with repeated manipulation of legislation, laws, legal infrastructure, and judges which has weakened institutions and contributed to widespread lawlessness within Pakistani society (Kaplan, 2008, p. 156). Along with its periodic government of Pakistan, the military plays a considerable role in Pakistan’s economy and has invested in a diverse range of economic sectors including finance, construction, and agriculture. Investments such as these make the Pakistani military the largest commercial investor in the country (Siddiqi, 2007, p. 18). Given that the military has such a large operational and financial stake in how the government operates, any withdrawal from Pakistan’s political scene is highly unlikely. The establishment of a military-governed National Security Council in

2004 has only further institutionalised the military's domination over future governments (Kaplan, 2008, p. 152).

Civic outrage and public dialogue over these manoeuvres has been muted because of the Pakistani media's lack of institutionalised autonomy. The government uses a range of legal and constitutional powers to curb press freedom and its law against blasphemy has been used to silence journalists. Nevertheless, Pakistan's print media is among the most outspoken in South Asia and internet use among the general population is rapidly increasing (Mezzera & Sial, 2010, p. 10).

The ability to generate public support for legislation and implementation of policies is a key function of a stable state (Naude, et al, 2008, p. 148). Public trust in policy processes has eroded in Pakistan on account of successive governments, particularly the military, manoeuvring to consolidate their power. As an example, the installation of serving and retired military personnel in public positions has ensured the military's agenda (Kaplan, 2008, p. 152). Problems implementing even positive legislative changes have meant that benefits are rarely seen by Pakistan's citizens, particularly those most in need, and institutional decision making processes are regularly circumvented. Public awareness of such action has led to a widespread loss of faith in legislative processes (PILDAT, 2015, pp. 21-22). Widespread corruption and financial mismanagement has also eroded institutional integrity and public trust in electoral and government systems, along with Pakistan's ability to mobilise public resources. System deficiencies related to corruption represent one of Pakistan's main roadblocks to development. The Corruption Perception Index

in 2014 released by Transparency International ranks Pakistan as having the 50th most corrupt Public Sector out of 167 countries (Transparency International, 2016, p. 7). Ranked among the top 33% of corrupt countries globally indicates the likelihood of widespread bribery, lack of accountability, and public institutions that don't respond to citizens' needs in Pakistan. An example of this at the highest level was Prime Minister Raja Pervez Ashraf's arrest over corruption allegations (Rodriguez, 2013, p. 1).

4.3.3. Fragility based upon State Authority Failures

Establishing fair and equitable systems of justice, law and legislation is another key marker of stable statehood (Naude, et al, 2011, p. 149). Progress on these systems has also been marred as military and civilian elites repeatedly manipulate laws, courts, and judges in order to consolidate their power. An example of this is the government's inability to formulate a cogent national policy towards its Afghan refugee population, despite nearly four decades as host. Only in July 2013, did the Government of Pakistan approve a new policy on Afghan refugees, having previously relied upon the generic 'Foreigners order' from 1951, which treated undocumented refugees as illegal aliens (Issa, Desmond, & Ross-Sherif, 2010, pp. 171-172) (Government of Pakistan, 2015). This policy includes the extension of the Proof of Registration (PoR) cards and the Tripartite Agreement on Voluntary Repatriation until 31 December 2015 (UNHCR Pakistan, 2014, p. 1). A draft national policy beyond 2015 is currently being deliberated (UNHCR, 2015, p. 13). Until this is agreed, the

Government of Pakistan has extended Afghan refugee PoR cards until 2017 the 4th extension it has provided as hosts (Human Rights Watch, 2016, p. 1).

The intermittent influence of the military has weakened institutions and contributed to the widespread lawlessness within Pakistan's society (Kaplan, 2008, p. 156). The Pakistani Military also plays a considerable role in Pakistan's economy and has taken control of both private sector and public sector initiatives such as banks, construction, and agriculture, making the military the largest commercial player in the country (Siddiqi, 2007, p. 18). Given that the military has such a large operational and financial stake in how the government operates, any withdrawal from the political scene is highly unlikely. The establishment of a military governed National Security Council in 2004 has effectively institutionalised the military's dominance over future governments (Kaplan, 2008, p. 152).

It has also been difficult for Pakistan's central authorities to impose its agency over parts of its territory. The people residing in the Federally Administered Tribal Areas (FATA) in the Northwest of Pakistan give pre-eminence to self-governing tribal councils (Jirga) which operate semi-autonomously, albeit technically in parallel to Pakistani law (Kaplan, 2008, p. 155). These mostly tribal areas have been seen as pseudo-colonies by successive Pakistani governments since independence and their inhabitants as partial citizens. Thus, they have been persistently underserved by the government. Similar situations to this can be found in other peripheral areas of Pakistan such as the Northern Areas and Baluchistan in the Southwest (see chapter five).

Security issues emanating from the FATA are also an authority concern for Pakistan and can be directly linked to an earlier territorial dispute with Afghanistan from the time of Partition over the validity of the Durand Line as a border. The lack of effectual information, and confusion over documents historically agreed upon by British India and Afghanistan in 1893 proliferate contentions over the Durand Line (Qaseem, 2008, p. 1). International law however, supports the original agreement that the Durand Line is enforceable as a border in the post-British period (Razvi, 1979, p. 39).

Another marker of state validity is the ability to provide citizens with a safe, secure, and stable environment (Naude, et al, 2011, p. 48).

However, numerous territorial issues, on-going conflict with India, sectarian violence between religious and political groups, domestic terrorism, and the 'hornet's nest' of extremism has left social security unstable in Pakistan. According to the Global Peace Index 2015, which ranks countries according to "their level of safety and security in society, the extent of domestic and international conflict, and the degree of militarisation" (IEP, 2014, p. 2), Pakistan ranks 154th out of 162 countries and has a very low 'state of peace' (IEP, 2014, p. 9; see also chapter two).

Pakistan's initial geopolitical role in the 21st Century was as a United States ally on the frontline in the 'War on Terror' in the wake of the 11th of September, 2001 terrorist attacks in New York (Bailey & Immerman, 2015, p. 93). Parallel to this 'war' was the continued fight against the Taliban in Afghanistan, which rose to power in the wake of the Soviet withdrawal (see chapter three). Strong ethnic Pashtun

ties bind the 20 million Pashtuns, living within Pakistan's western borderlands, many of whom are refugees, with the Afghan Taliban (Cohen, 2014, p. 355). This has provided a gateway for the hard-line religious ideology underpinning the Taliban to spread into greater Pakistan where it manifests predominantly in attacks against minority Shia Muslims such as the Hazaras (Hashmi, 2009, p. 15; see also chapter five).

The entrenched territorial dispute with India over Kashmir has enabled Pakistan's military to evolve into the nation's strongest institution in a country of weak institutions (Kaplan, 2008, p. 151). Reinforcement of the military's control of the country's power structures has destabilised it, reflected in Pakistan's history of only intermittent civil governance (Zaidi, 2005, p. 5174). With the Pakistani Military controlling the national agenda, substantial resources have been siphoned from the national budget, some of which is spent on activities such as the development of its nuclear programme (Giunchi, 2014, p. 2). As Kaplan (2008) notes,

“by emasculating the rule of law, over centralizing authority, and allying with various religious parties, military governments have exacerbated the fractiousness that challenges Pakistan's cohesiveness” (p. 146).

Pakistan's insecure borders in the FATA and Kashmir have helped reinforce a military-driven agenda and erode democratic government authority.

4.4 Chapter Conclusion

This chapter illustrated the historical fragile context of Pakistan since its establishment, and continues to exhibit in the 21st century (Bajoria, 2009, p. 1). This chapter has discussed how contemporary Pakistan not only qualifies as one of the world's most fragile states, but the breadth of problems confronting it could render it intractably fragile. Pakistan faces considerable challenges. Now more than ever, it is shaped by the condition of its neighbours, most notably Afghanistan and India, and the policies and actions of its international partners such as China, Iran and the United States.

Pakistan's fragility is represented by state weaknesses in the provision of service entitlements to citizens, and lack of state legitimacy and government authority. Pakistan faces a number of fundamental challenges; some of which are residual from Partition, such as the conflict and diplomatic rift with India over Kashmir (Chester, 2009, p. 7). Some challenges have become entrenched over time, such as crises related to domestic energy, political corruption, national debt, the threat of natural disasters, and of course the long-time presence of Afghan refugees (see chapter three).

In conclusion, many of Pakistan's weaknesses in all three of these areas can be attributed to the undemocratic foothold of the military in its economic and governance structures. Pakistan's military (and supporting civilian elites) have become entrenched in national politics and economy to such an extent that it has a pervasive and negative impact on the factors of public service entitlement, government

legitimacy and authority failures used in this chapter to frame Pakistan's fragility. The monopoly, over-centralisation, and mismanagement of resources; power consolidation through corruption and manipulation of legal and democratic processes has amalgamated to erode public trust in authority, delegitimise governing regimes, destroy confidence in institutions, and compromised the state's ability to efficiently safeguard and mobilise resources. As a result, mistrust between groups has damaged social cohesion, leaving Pakistan in an enclosed cycle of fragility.

Having explored the contexts of Pakistan as a 'fragile host' above, and Afghan forced migration (chapter three), the following chapter will examine some of the specific connections between Afghan refugees and the fragility of their hosts, Pakistan by way of a document analysis.

CHAPTER FIVE:

Document Analysis: the Solutions Strategy for Afghan Refugees and Participatory Needs Assessment of Afghan Refugees in Balochistan

5.1 Chapter Introduction

After concluding a detailed background case-study review in the previous two chapters, this chapter provides an analysis of two relevant United Nations High Commissioner for Refugees (UNHCR) documents which provide an insight into the effects of Pakistan's state fragility upon its resident Afghan refugees.

This analysis will explore three key aspects of this study: Pakistan as a 'fragile host' to Afghan refugees; the potential sustainability of settlement and integration of Afghan refugees in Pakistan, and the international support for Pakistan as refugee host.

As discussed in chapter four above, Afghan refugee protection is undertaken by the UN High Commission for Refugees (UNHCR) in partnership with the Government of Pakistan. The UNHCR works to ensure that basic protection needs are met along with access to basic services and determines refugee status on behalf of the Government of Pakistan and assists in consideration of refugee legislation (United Nations Pakistan, 2015b, p. 1). These operations also include the facilitation of voluntary refugee return to Afghanistan along with third-country resettlement for the most vulnerable.

After prefacing the suitability and credibility of the chosen documents and outlining my method of analysis, I will analyse the two documents and present a narrative of the results along with some possible explanations and interpretations.

5.2 Document Selection and Suitability

In order to explore the relationship between state fragility and the hosting of refugees in the context of Afghan refugees in Pakistan; two documents have been selected for analysis. These are both official United Nations High Commission for Refugees (UNHCR) documents pertaining to the management of Afghan refugees in Pakistan and are obtainable from the UNHCR website.

- UNHCR. (2014). *Participatory Needs Assessment of Afghan Refugees in Balochistan 2014*. Quetta: UNHCR⁷.
- UNHCR. (2015). *Solutions Strategy for Afghan Refugees, Regional Overview: Update 2015-2016*. Geneva: UNHCR⁸.

These two documents can be seen as representing opposite ends of a spectrum regarding UNHCR protection of Afghan refugees in Pakistan. The first document is an update of the regional overview for the Solutions Strategy for Afghan Refugees (2015) and represents a

⁷ The Participatory Needs Assessment of Afghan Refugees in Balochistan 2014 will be referred to as the 'PNA' from this point forward.

⁸ The Solutions Strategy for Afghan Refugees, Regional Overview: Update 2015-2016 will be referred to as the 'SSAR' from this point forward.

high-level, multi-lateral regional strategy for working towards durable solutions. The SSAR was chosen as it represents a 'top down' key regional strategy aimed at ending the long running Afghan refugee crisis.

The second document to be analysed is a Participatory Needs Assessment report relating to Afghan Refugees in Balochistan (2014), which is intended to ascertain protection shortcomings and needs of Afghan refugees settled in both refugee villages and urban settings. This assessment pertains to Balochistan, the second largest refugee hosting region in Pakistan (see chapter three). The PNA was chosen because it reflected the perceptions of the refugees themselves and could be considered to represent a 'ground up' perspective. Both documents are recent publications and are prefaced by nearly four decades of UNHCR reporting and publishing in relation to the Afghan refugee crisis and support for Afghan refugees.

5.3 Document Analysis Method

A document analysis is a qualitative investigation method that focuses exclusively on secondary or existing data material, and can be considered "traces of social activity", and therefore 'data'(O'Leary, 2014, p. 244). As Jupp (2006) explains, the significance of a document lays "in the historical circumstances of production, in their circulation and reception of the item, and also the social functions, interpretations, effects and uses that may be associated with them" (p. 79). One precondition of a document analysis is interpretability. As documents represent an externalisation of the author's or producer's

mind, intentions, feelings, and expectations should be articulated through the document material. In order to maintain the contextual integrity of my chosen documents, it must be remembered that they were not expressly produced for my purposes (O'Leary, 2014, p. 244).

Examination of the chosen documents will comprise a qualitative approach, recognising that “different people will interpret or ‘decode’ documents in various ways which may be different to the producer’s or ‘encoder’s’ intentions” (Jupp, 2006, p. 80). The technique outlined by O’Leary (2014) will be utilised for further document analysis where they will be interrogated using predetermined search terms (p. 251). As explained in table 5.1 below, these search terms are linked via three themes to two of the research questions of this report back to the report’s aim.

Table 5.1: Document Analysis Themes and Search Terms as they relate to Research Questions

Research Aim	Questions	Objectives	Analysis Themes	Search Terms
To explore the relationship between state fragility and the hosting of refugees in the context of Afghan refugees in Pakistan	How does Pakistan cope with hosting Afghan Refugees?	To explore the general situation of refugees in Pakistan	Pakistan as a Fragile State and Refugee Host	<ul style="list-style-type: none"> • Poverty • Insecurity
		To understand how the Government of Pakistan supports Afghan refugees	Settlement in Pakistan as an Option for Refugees	<ul style="list-style-type: none"> • Services • Settlement
	How is Pakistan supported by the international community in hosting Afghan refugees?	To explore the assistance given to Pakistan by the international community	International Support for Pakistan in Protecting Afghan Refugees	<ul style="list-style-type: none"> • International Community • Assistance

Source: Author

The first step of this document analysis method will be to identify the key themes extrapolated from the research questions and objectives; secondly, specific and appropriate words or phrases which are linked to these research questions will be selected and treated as ‘search terms’ which will provide avenues for focused insight into the documents. Finally, each term will be searched for in each document, the number of occurrences and the context of the terms noted. After a brief contextual outline of each of the UN documents, the document analysis will be presented in order of the themes mentioned above in table 5.1 above.

5.4. Context and Purposes of the Documents

This section gives a contextual overview of the documents being analysed and highlights their different purposes.

5.4.1 Participatory Needs Assessment of Afghan Refugees in Balochistan 2014

The PNA is a report by the UNHCR (2014) based on an annual study conducted collaboratively by 13 of the UNHCR’s operational partner organisations to ascertain the needs and needs-gaps experienced by refugees in the region. Using an Age, Gender and Diversity (AGD) approach, 1,050 refugee women, girls, men, and boys (as well as people with disabilities) were interviewed and had an opportunity to elaborate upon the challenges and problems they face (UNHCRa, 2014, p. 9). The assessment was led and authored in 2014 by the UNHCR Sub-Office in Quetta, Pakistan which oversees refugee matters in the Balochistan region of the country. The document was written for an audience of diverse stakeholders working towards refugee protection in the region and nationally at the grassroots and strategic levels.

The document covers fifteen representative urban, rural, and refugee village sites. Each site is assessed based on eight refugee protection themes which are: status of health services; status of education services; drinking water facility; livelihood protection; registration and documentation; community participation and access to information; protection risks/incidents and solutions proposed by persons of concern (UNHCRa, 2014, p. 9). Each chapter covers a refugee residential site and concludes with a table summarising the related needs or issues and the possible solutions proposed by the refugee communities. The PNA lists some key recommendations at the end which summarise the most pressing concerns cited by refugees.

5.4.2 Solutions Strategy for Afghan Refugees Regional Overview: Update 2015-2016

The SSAR is a high-level strategic document offering a perspective of the region affected by the Afghan refugee crisis which includes the Islamic Republics of Afghanistan, Iran and Pakistan. The purpose of the SSAR is to offer an integrated and comprehensive agenda for co-operative interventions designed to facilitate the voluntary return and sustainable reintegration of Afghan refugees (UNHCRd, 2015, p. 8). The SSARa also aims to provide assistance to host countries over a number of years (UNHCRd, 2015, p. 8).

The SSAR was authored by the United Nations High Commission for Refugees (UNHCR) in 2015, published in August of the same year, and is an update to the inaugural iteration in January, 2014. Related documents include Country Project Portfolios for the three key stakeholder countries and the documents relating to Pakistan's Refugee Affected and Hosting Areas Project (RAHA).

The document begins with an overview of human displacement from

Afghanistan (UNHCRd, 2015, p. 4); then gives an overview of the SSAR as it relates to the support of refugee voluntary repatriation, sustainable reintegration and assistance to host communities (p. 8). Operationalization of the SSAR is also outlined (p. 20), along with an overview of the key elements of the 2015-2016 country portfolios of projects covering the five outcomes of the Strategy (p. 26). Some of the unique features of the SSAR are then explained (p. 32), including aspects of joint advocacy and resource mobilization (p. 36), and a summary of the strategy's international financial requirements (p. 38). The SSAR concludes with diagrams of the partners working in each of the countries divided by key outcomes are presented (p. 42).

5.5. Theme One: Pakistan as Fragile State and Refugee Host

This section presents the findings of the document analysis thematically beginning firstly with 'Pakistan's State Fragility as Refugee Host', followed by 'Settlement in Pakistan as an Option for Refugees', and finally 'International Support for Pakistan in Protecting Afghan Refugees'.

In order to analyse the first theme, the search terms 'poverty' and 'insecurity' were selected. These terms were chosen because they provide a possible indication within the documents of the general socio-economic situation of Afghan refugees in Pakistan in the context of residing in Pakistan. These indications can then be linked to host state fragility, through lack of infrastructure and provision, or state authority as discussed in chapters 2 and 4.

5.5.1 Participatory Needs Assessment (2014) Analysis: Lacking Livelihood Opportunities and Endemic Poverty

The search term 'poverty' was used to examine Pakistan as a fragile state and refugee host in the Participatory Needs Assessment in Balochistan (UNHCR, 2014), where it occurred 49 times. The context in which the term was mentioned varied, although 'poverty' was repeated in the document as the key reason for a number of severe difficulties facing Afghan refugees. For example, the UNHCR stated that despite parents being aware of the ill effects of child labour, poverty drives them to send their children to work at the expense of non-earning activities such as education (UNHCR, 2014, p. 11, p. 23, p. 25, p. 30, p. 37, p. 74). Children engaged in labour activities were found in the PNA to be widespread across refugee villages and was directly linked to high poverty rates among Afghan refugees. This is also reflected in low education enrolment figures, and early dropout rates related to education (p. 10, p. 50, p. 56, p. 60). The absence of adequate jobs for adults and lack of vocational skills training to stimulate self-employment was seen reinforcing this pattern (p. 11, p. 46, p. 51, p. 65). In the Lejay Karez refugee village, poverty was also cited as a reason for the early marriage of girls for dowry and security purposes as their opportunities to work are practically and culturally non-existent (p. 36).

Lack of livelihood opportunities for adults also reveals Pakistan's fragility as refugee host where the UNHCR (2014) found in the PNA (2014) that while Afghan refugees were granted the right to work, but much of that work is taken up by children who are paid less (PNA, 2014, p. 61). Inadequate financial planning to create jobs and help reduce poverty, along with inadequate provision of basic services reaching refugees is helping to keep refugee children out of education and in the labour force (Putzel & Di John, 2012, p. xi; Stewart & Brown, 2010).

‘Poverty’ was also linked by the UNHCR’s PNA (2014) to difficulties for refugees from most villages meeting their administrative obligations, such as renewing their Proof of Registration (PoR) cards and registering births, due to the unaffordability and distance of travel (p. 12, p. 27, p. 51, p. 57). Lack of administrative support for refugees to meet their basic obligations to the host state itself indicates weaknesses in Pakistan’s services provision towards its people, particularly refugees (Stewart & Brown, 2010).

In contrast to the above, the search term ‘insecurity’ occurred in the PNA just 5 times. Insecurity was ubiquitously mentioned in the context of the perceived need of refugee parents to protect their daughters. For example, refugee responses from the Surkhab Refugee Village illustrated that Parents fear abductions, harassment, and other such risks for their girls (p. 46). Insecurity was also given as a reason for Afghan refugee girls in Pashtoon Bagh and Ghausabab refugee settlements not to attend school due to risks inherent in travelling (p. 78, p. 81). In Old and New Saranan settlements, early marriages for girls were preferred by refugee parents to help alleviate poverty and insecurity; particularly perceived risks of exploitation or abuse which could occur as they venture outside the home (p. 46). Afghan refugee parents’ concerns for the safety of their girls in Baluchistan could signify authority weaknesses in Pakistan’s security and policing of such areas, which is a key marker of Pakistan’s state fragility (Stewart & Brown, *Fragile States*, 2010, p. 10).

Both ‘poverty’ and ‘insecurity’ are intertwined in the case of the refugees belonging to Hazara tribe (see chapter two). As a Shi’a minority, the Hazara people are at high risk of sectarian violence which also negatively impacts their economic activities resulting in increased poverty (p. 89). This could be interpreted as evidence of Pakistan’s inability to protect all people within

its border equally, another marker of state fragility (OECD, 2015, p. 20).

5.5.2 Solutions Strategy for Afghan Refugees (2015) Analysis: Poverty and Insecurity of Afghan Returnees

The search term ‘poverty’ occurred only three times by the in the SSAR (UNHCR, 2015). It was used to explain that poverty remains endemic in Afghanistan (p. 11); that it is the reason for the large number of unaccompanied children seeking asylum (p. 6), and that through training, capacity building and skill development through the Refugee Affected and Hosting Areas Project (RAHA), the number of Afghan refugees living below the poverty line in Pakistan has reduced by (3%) (p. 24). One of the purposes of the SSAR update document is to reflect on some of the broad issues and key achievements of the regional solutions strategy which has meant a more positive approach has been applied in the production of the document. Targeted projects such as the RAHA project have had some positive impact, however fluctuating refugee numbers have given Pakistan economic, social, and environmental shocks which it is unprepared, and under-resourced to tackle (see chapter four).

The search term ‘insecurity’ occurred only five times in the SSAR (UNHCR, 2015) document. Its use was mainly in the context of Afghanistan as a major concern of returnees (p. 12), the central reason for new population displacements (p. 11), and the large number of unaccompanied children seeking asylum (p. 6). However, it was used in the SSAR once in the context of a possible outcome of youth unemployment, which could also affect Pakistan due to emerging economic difficulties which were discussed in chapter four.

This section found that both the PNA (UNHCR, 2014) and SSAR (UNHCR, 2015) mentioned ‘poverty’ and ‘insecurity’ as a major issues

facing Afghan refugees. The PNA focused mostly how the issues of poverty and insecurity restrict refugee's access to services, while the SSAR mentioned cited poverty and insecurity as barriers to refugees returning to Afghanistan.

5.6 Theme Two: Settlement in Host Country as an Option for Refugees

In order to analyse the theme of refugee settlement in host country as an option for refugees, the search terms 'services' and 'settlement' were selected because they reflect the degree of local integration which Afghan refugees experience in Pakistan (Jacobsen, 2001, 2). The search terms 'services' and 'settlement' were also selected because they give a possible indication within the documents how the Government of Pakistan supports Afghan refugees to integrate. These indications can then be linked to considerations of settlement for Afghan refugees as a possible yet politically unpopular durable solution.

5.6.1 Participatory Needs Assessment (2014) Analysis: Access to basic services and the village-urban divide

Due to this PNA (UNHCR, 2014) document being a needs assessment, the search term 'services' occurred 51 times. This frequency indicates that better quality, and more widely available services are key needs based on refugees' responses. The PNA explains that the UNHCR provides protection and sectorial services to refugees (p. 21). However, both refugee urban and village settlements surveyed by the PNA reported inadequacies in quality and lack of access to basic healthcare, sanitation, education, and documentation service provision, indicating that improvements in services are still required by UNHCR and its partners (p. 14, p. 21, pp. 25-26, p. 28).

This includes its government counterpart, the Commissionerate for Afghan Refugees (CAR) (p. 14).

The PNA (2014) explains that planning has been difficult because the services provided by UNHCR are not only used by registered Afghan refugees, but also unregistered Afghans and locals from the host communities (p. 14). This illustrates the question of when international assistance to refugees stops and host-state provision begins? The UNHCR has been criticised for being a surrogate state providing parallel services by some theorists (Kagan, 2011, p. 27; Zaiotti, 2006, p. 350). However, as explained in chapter two, the economic shock to fragile host states from the arrival of large number of refugees' means that international intervention becomes necessary. Without the international assistance which refugee settlement in Pakistan demands, it would not be sustainable.

Health services were reported most often to be inadequate or unavailable by refugees in the PNA. The main issues cited include a shortage of medicines available in Basic Health Units (BHUs) (UNHCR, 2014, p. 9, p. 29, p. 59, p. 72); unavailability of lady doctors in both BHUs and labour Room facilities (p. 72), and limited ambulance and laboratory services (p. 22, p. 53, p. 92). In some refugee communities, health services such as immunization, family planning, and pre and post natal care are not available at all (p. 88). Afghan refugees also reported that when they attempt to access treatment at public hospitals, they are discriminated against by medical staff and the local host community who do not allow them to get easy access to services (p. 77). Other services identified by the PNA for improvement were drinking water facilities to ensure 100% access for all refugees (p. 10), and registration and documentation services which needed to be simplified (p. 95). Refugees also reported that the services at registration points were poor and refugees were left with only one

registration centre in Quetta (p. 31).

The search term ‘settlement’ in the PNA (UNHCR, 2014) document indicated that it occurred 26 times. Afghan refugees are settled in both urban and rural village contexts in Pakistan; however urban-settled refugees are not supported by the UNHCR directly (UNHCR, 2014, p. 78, p. 84). For example, in urban refugee settlements, separate educational facilities are not provided for refugees and the majority of schools are public and fee charging (p. 10). Analysis of the PNA revealed that many issues facing refugees are common such as the lack of potential vocational institutes which leaves refugees without marketable skills, compelled to participate in unskilled labour work (p.11).

The term ‘settlement’ was used in the PNA to also describe particular sites of data collection such as the urban settlements of Pashtoon Bagh, Hazara Town, Qadri Abad and Ghausabad (p. 77), and refer to proximity of services to refugees, such as public hospitals (p. 77), and bureaucratic services (p. 95). ‘Settlement’ is also used to describe particular groups of refugees such as Ghausabad, “comprising around 10,000 Pashtoon and Uzbeks” (p. 80, p. 84). The term also describes the land ownership context of refugee settlements, particularly Pashtoon Bagh, where local communities rent out the land around their settlements (p. 77).

The PNA (2014) notes that compared to refugees living in refugee villages, those in urban settlements have more options for self-employment and small businesses (p. 78, p. 89). However, those from refugee village settlements who approach private and general public hospitals for their basic treatment face discrimination (p. 81, p. 86). Urban settlements are described in the PNA as being more tribally and ethnically diverse (p. 12), with the exception of Hazara Town which is predominantly tribal Hazara

people and the settlement is considered superior to others due to concrete housing with better sanitation and roads (p. 88, p. 89).

The impression of settlement through an analysis of the PNA (UNHCR, 2014) shows that despite the long-term presence of refugees, those residing in refugee villages are barely integrated into Pakistan's host communities. Whereas, refugees based in urban settlements near the main city of Quetta have more opportunity to integrate due to enhanced employment chances and increased diversity. This difference in levels of integration and settlement could indicate Pakistan's low level of commitment to fully absorbing Afghan refugees into its society, a critical requirement for this to work as a refugee solution (see chapter two).

5.6.2 Solutions Strategy for Afghan Refugees (2015) Analysis: Access to basic services and community capacity building

The search term 'services' was used in the SSAR (UNHCR, 2015) document 27 times. The SSAR mentions its broad aim "to improve access to essential social services for refugees in all three countries it covers (p. 8) and 'Outcome 2' of the SSAR in particular is the improvement of "access to shelter and essential social services" (p. 27). In relation to the settlement of Afghan refugees in Pakistan, there was a range of contexts in which 'services' was mentioned. Without using the exact terms 'fragile', the SSAR directly alludes to Pakistan's fragility. In its chapter on assistance to host communities, the SSAR points out that "Pakistan hosts the second highest number of refugees in relation to its national economy [...] and a considerable strain is placed on its overstretched public structures and services" (p. 14). On the same page, the SSAR mentions that overstretched resources and financial constraints, particularly outside refugee villages in

Pakistan has meant that essential services are more difficult to access for refugees (p. 14).

A number of service provision achievements in Pakistan were also mentioned in the SSAR (UNHCR, 2015). Listed under the heading 'Best Practice in Pakistan' mass information, a helpline, and mobile phone text message services (SMS) were provided in support of the refugee renewal process (p. 18). In addition primary health care was provided to nearly 600,000 refugees in refugee villages across three provinces through Basic Health Units (p. 24). Also in Pakistan, a total of 3,390 community organisations are now actively engaged in planning and implementing projects related to social services and infrastructure (p. 24). Also mentioned in the SSAR is the capacity building of local civil society foreseen to assist in the delivery of services in remote areas or places inaccessible to other stakeholders (p. 33). In Pakistan, the RAHA project aims to reduce the strain on Government-provided public services in these areas (p. 30). The focus on assistance to host states in the SSAR (2014) acknowledges, through the above-highlighted outcomes and efforts, the need for states to provide for settled refugees. As chapter two pointed out, the option of local integration through settlement requires local government commitment, which is encouraged by the SSAR programme which aims to bolster host government services.

The search term 'settlement' only occurred once in the SSAR (UNHCR, 2015) in relation to Pakistan to describe its partner, UN-Habitat, United Nations Human Settlements Programme (p. 43).

This section found that the PNA mentioned 'services' often, mostly to highlight what services were being offered refugees and some of the service deficiencies experienced by them. The SSAR mentioned

'services' a number of times also in range of contexts, most notably highlighting concerns regarding the pressures refugee numbers place on local services. The PNA mentioned 'settlement' mostly to describe the locations and features of rural refugee villages or urban settlements, while the SSAR did not mention 'settlement' besides the name of one of UNHCR's delivery partners.

5.7 Theme Three: International Support for Pakistan in Protecting Afghan Refugees

In order to analyse the theme of international support for Pakistan in protecting refugees, the search terms 'international community' and 'assistance' were selected. These terms were chosen because they indicate the assistance given to Pakistan as refugee host by the international community. These indications can then be linked to ways in which international support for Pakistan in protecting Afghan refugees is either lacking or forthcoming, as discussed in chapter three.

5.7.1 Participatory Needs Assessment (2014) Analysis: Refugee needs, not overarching solutions strategy

Analysis of the PNA (UNHCR, 2014) showed that there were no occurrences of either search terms for under this theme. Neither 'international community' nor 'assistance' was found in the document. A possible explanation for the omission of these terms is that as a needs assessment, the PNA is focused upon the concerns of refugees' pragmatic needs, at their residential sites, at the time of data collection. The concerns of the PNA do not, therefore, extend to the strategic or international levels, but are solely concerned with local needs of particular refugee settlements

in Pakistan's Balochistan region.

5.7.2 Solutions Strategy for Afghan Refugees (2015) Analysis: International Donor Contributions and Alleviating Refugee Host Burden

The search term 'International Community' occurred in the SSAR (UNHCR, 2015) 15 times covering a range of contexts related to international help of Afghan refugees in Pakistan. The SSAR has served as an enabling multilateral platform for consensus-building, strengthening of existing partnerships and engagement of new actors since 2012 (p. 8). However, the need for increased commitment from the international community recurred in the SSAR, highlighting the call for this at both The Tokyo Conference, and London Conference on Afghanistan (p. 12). Another example of this call includes a quote from António Guterres, UN High Commissioner for Refugees stating: "my appeal is to the international community to understand that this [the Afghan refugee burden] is not only the responsibility for Pakistan or Iran or other neighbouring countries; it is a collective responsibility" (UNHCR, 2015, p. 7). Pleas for renewed long-term support, commitment, and solidarity from the international community towards the Afghan refugee crisis are mentioned in several places in the SSAR to preserve asylum space and create (p. 12, p. 18, p. 30, p. 37). International consensus-building around efforts to stabilise Afghanistan to allow refugees' return are also part of the SSAR (p. 9). These are affirmed by the idea that "development projects can contribute to creating conditions for voluntary and sustainable return", particularly community-based interventions, for example, building human capital through training so that skills gained abroad by refugees can help regenerate Afghanistan (p. 13, p. 34). The international community through the UNHCR and numerous NGOs has been involved in supporting Afghan refugees for nearly four decades (see chapter three). This support, however

waxes and wanes, often according to the geopolitical role played by Afghanistan and its neighbours at a given time. For example, at the start of the refugee crisis, the UNHCR was well funded to respond to the influx of refugees into Pakistan when Afghan soldiers were fighting the Soviet Union, however this funding has subsequently diminished (see chapter three).

The search term ‘assistance’ occurred 7 times in the SSAR (UNHCR, 2015) as it is included as chapter two of the document and as a key aim of providing “assistance to host Communities” in the form of investment in long-term stability (p. 3, p. 8, p. 14). This assistance is multifaceted and aims to ease the strain upon Iran and Pakistan’s communities, some of which have hosted Afghan refugees for nearly 40 years (see chapter three). The SSAR (2015) itself explains that in 2014, Pakistan hosted the world’s second highest number of refugees in relation to its national economy (316 refugees per 1 USD GDP (PPP) per capita), placing considerable strain on its overstretched public structures and services (p. 14). The SSAR also notes, with regard to their current living conditions in Pakistan, Afghan refugee households identified access to income/livelihood opportunities (22 per cent) and shelter (20 per cent) as their primary concerns, followed by access to healthcare (15 per cent) and water (13 per cent) (p. 11). Refugees’ needs not only indicate Pakistan’s fragility in the form of service entitlements failures, but the need for further assistance from the international community.

The SSAR (UNHCR, 2015) also states that while the UNHCR and partners provide access to basic healthcare and education in the refugee villages, refugees living outside of these villages encounter more difficulties in accessing essential services due to overstretched resources and financial constraints (p. 12). Calls to the international community for increased

assistance to Afghan refugees in Pakistan is mainly driven by dwindling resources brought about by global recession, and competing priorities brought about by a deepening global refugee crisis (see chapter two, chapter two.8).

This section found that either 'international community' or 'assistance' occurred in the PNA (UNHCR, 2014). It was concluded that the absence of these terms could be accounted for by the PNA being an immediate needs assessment rather than a strategic plan or vision. The search term 'international community' occurred a number of times in the SSAR (UNHCR, 2015) in a range of contexts, particularly referring to the SSAR's role in fostering international partnerships and calling for increased international financial support for Afghan refugees and their host countries. The SSAR also mentioned 'assistance', mostly in the context of assistance to host communities being one of its key aims.

5.8 Chapter Conclusion

This chapter presented the results of a systematic document analysis of two key UNHCR documents: a Participatory Needs Assessment of Refugees in Balochistan (PNA) (2014), which comprises a 'ground up' approach ascertaining refugees' needs; and the Solutions Strategy for Afghan Refugees (SSAR) (2015), which is a 'top down' international strategy aiming to solve the Afghan refugee crisis. The results of the analyses were organised under the following three themes: Pakistan as a Fragile State and Refugee Host; Settlement in Pakistan as an Option for Refugees, and International Support for Pakistan in Protecting Afghan Refugees. The occurrences of six specifically chosen search terms, two terms per theme, were looked at in each of the documents and were analysed. Considering the results of the analysis above, five specific key points can be observed

across both the PNA and SSAR documents.

The first key result is that under the theme of Pakistan as a Fragile State and Refugee Host, both UNHCR documents highlighted the effects of widespread poverty among afghan refugees. The PNA in particular linked endemic poverty to both lack of livelihood opportunities and specific ills such as widespread child labour. Host state legitimacy failures around economic planning and resource allocation could be said stifle livelihood opportunities, particularly at Pakistan's geographical margins where refugees reside.

Secondly, both documents highlighted the insecurity on both sides of the Afghan-Pakistan border and the dilemma this creates for potential returnees. The PNA specifically mentioned parents' perceived risks for refugee girls travelling to school in Pakistan. Pakistan's authority failures contribute to refugees' experiences of insecurity, while lack of registration and documentation facilities can be perceived as both state capacity and legitimacy failures.

Thirdly, both documents highlighted the inadequate availability and access to quality basic services for refugees and the needed improvements in these areas being critical for better refugee management. The PNA highlighted the difference between experiences of refugees living in villages and those living in urban areas in Balochistan where, for example, urban refugees had better access to livelihood opportunities, but faced discrimination when accessing services such as healthcare. Host-state incapacity to provide basic services such as transport negatively affects refugees' access to basic healthcare and education.

Forthly, the SSAR particularly noted the need to build the capacity and

resilience of refugee and host communities' as a way of alleviating the host burden. Host capacity support is necessitated, at least in part, by the low absorption capacity of refugee host areas. Finally, in order to facilitate improve in the management of the Afghan refugee crisis in Pakistan, the challenge of maintaining international donor contributions needs to be met.

In the concluding chapter that follows, these results will be discussed further as they relate to other literature drawn upon in previous chapters, two, three, and four. A number of conclusions and their implications will be offered along with ideas for further research.

CHAPTER SIX:

The Relationship between Pakistan's State Fragility and its Role as Host to Afghan Refugees:

Conclusions

6.1 Chapter Introduction

This aim of this report was to explore the relationship between state fragility and the hosting of refugees. Chapter one outlined some key concepts regarding the current global refugee crisis such as the prevalence of fragile countries hosting refugees. The second chapter explored the literature considered pertinent to this study and noted particularly that a unified definition of state fragility is elusive due to its complex, multi-causal nature. In order to facilitate discussion and analysis of state fragility throughout this report, a working definitional framework of 'fragility' was formulated as the assorted failures of government legitimacy, authority, or the provision of adequate basic service entitlements (Stewart & Brown, 2010, pp. 9-10; Naude, Santos-Paulino, & McGillivray, 2011).

The case study context used to explore the aim above is the hosting of Afghan refugees by the Islamic Republic of Pakistan. Chapter three provided a context for both Afghanistan and the concomitant plight of Afghan refugees as being generated by endemic conflict and poverty for over nearly four decades. Focusing mainly on Pakistan's fragility as a state, the fourth chapter contextualised Pakistan as fragile state hosting refugees of one of the largest and most protracted refugee situations globally. Chapter five outlined the document analysis of two key UNHCR documents which makes up the core of this report, a Participatory Needs Assessment of Refugees in Baluchistan (PNA) (UNHCR, 2014), and the Solutions Strategy for Afghan Refugees (SSAR) (UNHCR, 2015).

This final chapter aims to synthesise the results from the document analysis in chapter five with the literature drawn upon to contextualise the main issues throughout this report. The following discussion aims to answer the research questions and objectives set out in chapter one leading to some conclusions and recommendations.

6.2 Fight or Flight: Causes of the Refugee Influx into Pakistan

This chapter addresses the first research question that asked what the main causes of Afghan refugee arrival to Pakistan are. First, the causes of refugee flight from Afghanistan are explained. Then the main reasons why these refugees are mostly found in Pakistan will be outlined.

The literature in chapter three revealed that the main cause of Afghan's forced migration is a series of intermittent conflicts which began in 1979 and continue to this day. The initial conflict was the Soviet Invasion of Afghanistan in 1979 which caused widespread devastation and forced the flight across Afghans across the border into neighbouring Pakistan and Iran (Grau & Cress, 2002, p. 15; Sliwinski, 1980, p. 39; Khalidi, 1991). By the time the Soviet Union had capitulated and withdrawn ten years later, nearly 6.4 million Afghans had fled, divided between Pakistan (3.3 million) and Iran (3.1 million) ((UNHCR, 2015l, p. 1) (UNHCR, 2015g, p. 2) (UNHCR, 2015, p. 2).

Examination of the literature showed that the three successive conflicts that followed the Soviet invasion caused subsequent waves of forced migration and internal displacement, along with the sustained exile of Afghans already in Pakistan and Iran (see figure 2.3). The first of these conflicts was the civil war between tribes of ex-guerrilla fighters (1993-1996) (Human Rights Watch, 2001, p. 15); followed by war between the Taliban and Northern

Alliance (1996-2001) (Rashid, 2010, p. 5); and finally, the US led invasion which began in 2001 and continues today (Bailey & Immerman, 2015, p. 57). Analysis of the Afghan refugee crisis since 1979 illustrated in chapter three showed a sharp rise in refugee registrations in Pakistan and Iran with the outbreak of each successive conflict (figure 3.4). This was mirrored by refugees returning home during interludes of relative peace, only for them to return to exile when conflict re-emerged (UNHCR, 2015e, p. 1; (UNHCR, 2002, p. 9).

As explained in chapter three, the legacy of these conflicts in Afghanistan is continued insecurity due to the prevalence of armed groups, severe underdevelopment due to severely damaged infrastructure and a faltering economy, and endemic state fragility. Afghanistan is an archetype of the mutually-reinforcing processes of forced displacement, underdevelopment and state fragility, which are stimulated by and revolve around conflict, as shown in figure 2.1. The cross-sectional analysis of global indexes illustrated in figure 2.3 representing conflict (IEP, 2014, p. 10); underdevelopment (UNDP, 2015, p. 162), and state fragility (The Fund for Peace, 2015, p. 7) confirmed the clear link between these processes (figure 2.2). Both Afghanistan and Pakistan were included among the 50 worst performing countries in each index simultaneously, with Afghanistan being ranked among the very worst in each list. The mutual reinforcement of conflict, underdevelopment and state fragility continues to plague Afghan society, making the return home from Pakistan a risky proposition, which reinforces the protracted refugee situation (Bialczyk , 2008, p. 14).

Two key reasons account for Pakistan as the principle refuge of Afghan forced migrants. The first is that Pakistan is the closest neighbouring country to Afghanistan's two largest urban areas, Kabul and Kandahar, where the majority of refugees originate from (UNHCR, 2015: p. 5). These,

the two largest urban areas in Afghanistan were devastated by the conflicts mentioned above and are proximal to the most populated refugee centres in Pakistan, the Federally Administered Tribal Territories (FATA) province in Pakistan's Northwest, and Balochistan in the Southwest respectively (see Figure 3.1). Figure 4.1, a map of Afghan refugees in Pakistan, shows that the majority of refugees are concentrated in and around the urban areas of Peshawar in the Northwest, and Quetta in the Southwest. The second reason for the largest Afghan refugee population being in Pakistan is linked to the legacy of Partition. Known as the Durand Line, the border between Pakistan and Afghanistan bears a strong geo-historical connection to the majority ethnic group, the tribal Pashtuns and was unsatisfactorily settled at the time of Partition in 1947 (Centlivres & Centlivres-Demont, 1988, p. 73; Qaseem, 2008, p. 93). Many Afghans consider Pakistan's FATA region to be Afghan territory, although ratification of the current Afghan-Pakistan border (Durand Line) remains legally binding in international law (Razvi, 1979, p. 39). Regardless, this border remains highly porous and a shared cross-border culture facilitates trade, livelihood, and refugee movement (Schmeidl and Maley, 2013, p. 131; Cohen, 2014, p. 355; Monsutti, 2008).

6.3 Stretched to Breaking Point: How Pakistan Copes as Host to Afghan Refugees

This chapter addresses the second research question that asked how Pakistan copes as host to Afghan Refugees. Pakistan is first contextualised as a fragile state, and then the general situation of Afghan refugees in Pakistan is described followed by a brief outline of refugee support offered by the Government of Pakistan.

Pakistan ranks as one of the world's most fragile states, ranked 13th most fragile globally (The Fund for Peace, 2015, p. 6; Puerto Gomez & Christensen, 2010, p. 19). As outlined in chapter four, there are numerous

reasons for this fragility rating, not least of all the current risks of insecurity and conflict on two fronts. The first major issue is war with India over Kashmir (Indurthy & Haque, 2010, p. 10; Kaplan, 2008, p. 151), and the second issue is placed along the Afghan-Pakistan border with non-state insurgents including Taliban and Al-Qaeda fighters (Bailey & Immerman, 2015, p. 97). As briefly examined in chapter four, Pakistan's state fragility is rooted in the historical circumstances of its inauguration as a nation, which enabled the military to appropriate the political, economic, and resource distribution of the country (Siddiq, 2007, p. 18; Kaplan, 2008, p. 155). Rather than being isolated, Pakistan's fragility interlinked regionally, particularly through its border conflicts and the conflict-induced fragility of its neighbour, Afghanistan. Entrenched fragility has had a direct negative effect upon Pakistan's state capacity to provide for Afghan refugees, particularly in urban areas where the UNHCR's remit does not extend (UNHCR, 2015, p. 1).

As mentioned above, this report has framed Pakistan's state fragility in terms of weaknesses in state legitimacy, authority, and service entitlements. Pakistan's key government legitimacy challenges stemmed from the historically embedded military control of state political and economic infrastructure (Cohen, 2004, p. 45). Successive takeovers by the Punjab-dominated military have been detrimental to the flow of resources towards all other groups, including refugees (Kaplan, 2008, p. 154). Embedded military control has placed defence disproportionately at the heart of the government policy and spending agenda at the expense of other key issues, such as poverty and the Afghan refugee crisis (Giunchi, 2014, p. 6). Power by these successive governments has also been consolidation through the manipulation of legislation and legal infrastructure (Kaplan, 2008, pp. 155-156).

This report revealed that challenges to government legitimacy in Pakistan such as the frequent oscillation between civilian and military governance creates a difficult environment for policy formulation (Kaplan, 2008, p. 152). The effects of unformulated policy links to the analysis of the SSAR (UNHCR, 2015), which only now provides the first step towards a national refugee policy for Pakistan (p. 10). A formal Pakistani national policy specifically addressing the refugee crisis and rights of refugees has previously been absent. Pakistan has instead relied upon the out-dated 'Foreigner's Order' (1951), which confers illegal alien status upon unregistered refugees (Issa, Desmond, & Ross-Sherif, 2010, pp. 171-172). Despite the Government of Pakistan managing the registration of refugees, legally it relied upon the Foreigners Order (Government of Pakistan, 1951, p. 1), which determined that undocumented Afghan refugees were illegal immigrants, making them more likely targets of discrimination and harassment (Issa, Desmond, & Ross-Sherif, 2010, pp. 171-172) (Human Rights Watch, 2016, p. 1). As highlighted in chapter five, Pakistan's economic planning and resource allocation weaknesses have contributed to stunted livelihood opportunities for both refugees and host communities (PNA, 2014, p. 61). Difficulty attaining livelihoods has forced children into the labour market at the expense of education and has necessitated the implementation of refugee assistance projects such as the Refugees and Affected Host Areas (RAHA) project (UNDP, 2013).

This report discovered that challenges to Pakistan's authority centre on its inability to maintain a stable environment, enact binding legislation and maintain the rule of law (Kaplan, 2008, p. 146). Lack of territorial control stems from the Kashmir dispute mentioned above and the border instability in the FATA, linked to the insurgent groups such as the Taliban and the 'War on Terror' alliance with the United States (Bailey & Immerman, 2015, p. 93). Pakistan has also exhibited weaknesses in its ability to protect all

residents, including refugees, due to the government's periodic favouritism towards certain religious and ethnic groups and lack of centralised government authority (Cohen, 2014, p. 90; Kaplan, 2008, p. 155). These authority weaknesses have combined to give Pakistan its 'low state of peace' ranking (IEP, 2014, p. 9).

Pakistan's authority weaknesses are reflected in the document analysis, particularly through concerns raised in the PNA (2014) by Afghan refugees around their personal safety when travelling and harassment by officials (p. 46). Endemic poverty has meant that opportunities for refugee children's education was often refused by parents in exchange for labouring activities, or out of fear of insecurity when travelling, particularly for Afghan girls (UNHCR, 2014, p. 46). Analysis of the PNA (UNHCR, 2014) also revealed Pakistan's inability to protect all residents equally, particularly the ethnic Hazara refugees who reported communal insecurity due to sectarian risks related to them being a Shia-Muslim minority amongst the majority Sunni-Muslim host and refugee communities (p. 89; Hashmi, 2009, p. 15).

This report also found that Pakistan's inability to deliver accessible, quality service entitlements to its population, including refugees, further illustrates its fragility. Lack of government spending on the provision of basic quality services such as health and education for its population (including refugees), were key limitations in government capacity (Kaplan, 2008, p. 146). The literature also revealed that corruption at all levels of government (Transparency International, 2016, p. 7), and poor planning and resource management affecting livelihood opportunities, were key weaknesses (Abbasi, et al, 2014, p. 4).

Further analysis of the PNA (UNCHR, 2014) revealed Pakistan's incapacity predominantly through strong evidence of a lack of availability and access

to basic quality services for refugees, such as healthcare and education (p. 14). The Solutions Strategy for Afghan Refugees (SSAR) (UNHCR, 2015) highlighted the strain to public structures and services placed upon Pakistan as host the world's second highest number of refugees in relation to its national economy (316 refugees per 1 USD GDP (PPP) per capita (p. 14).

In the absence of a sustainable solution for the intractable refugee situation, such as repatriation, capacity building of refugee and host communities to alleviate the host burden is now a key refugee management strategy in Pakistan which has been incorporated into the RAHA project mentioned above (p. 30). Analysis of the PNA (2014) particularly showed that the general situation of refugees in Pakistan is dire. Poverty is widespread and refugees face considerable challenges in obtaining their basic needs and accessing livelihood opportunities (UNHCR, 2014, p. 37). The PNA (UNHCR, 2014) revealed that poverty was the largest barrier to accessing quality healthcare (p. 59), and education and training (p.10), particularly for refugees in urban areas such as Quetta where UNHCR's remit doesn't extend directly (p. 78).

Pakistan's fragility can be thought of in terms of weaknesses in service provision, government legitimacy, and authority. Through the analysis of the PNA (UNHCR, 2014) and SSAR (UNHCR, 2015) documents, supported by authors such as Abbasi, et al (2014), Kaplan (2008), and Cohen (2004) Pakistan's fragility as a state is a contributing factor to the impoverished, uncertain, and sometimes unsafe situation of Afghan refugees.

6.4 Either a Drip or a Waterfall: International Community Support for Pakistan as Afghan Refugee Host

This chapter addresses the final research question that asked how the international community supports Pakistan as host to Afghan Refugees.

Principle responsibility for the immediate and protracted needs of Afghan refugees in Pakistan rests with the United Nations High Commissioner for Refugees (UNHCR) due to its global refugee protection mandate (UNHCR, 2011b, p. 2; Schoch, 2008, p. 4). However, as Pakistan is the host and geographical site of all practical refugee protection activities, the Government of Pakistan has a critical partnership role to play; a role that it assumed for nearly four decades, despite its fragility and related low refugee absorption capacity (Safri, 2011, p. 599). The success of this partnership arrangement in refugee protection relies upon the observation of a number of important legal commitments such as that of non-refoulement (UNHCR, 2011b: Article 33, p. 30; Adelman, H, 2001, p. 10). Finance from international donors is also critical for refugee assistance and protection, and that of host communities (UNHCR, 2015d). As illustrated in chapter three, international political will and funding towards Afghan refugee protection and assistance in Pakistan has been determinant upon prevailing geopolitical considerations of donor states (Grare, 2003, p. 58). As figure 3.4 illustrates, international donor commitment and financing aimed at refugee assistance had been low until the US-led invasion of Afghanistan beginning in 2001. The literature also showed an increase in financial interest during the years of the Soviet-Afghan war (1979-1989) because of a geopolitical interest in weakening communism (Grau & Cress, 2002; Human Rights Watch, 1991). Despite the relatively strong donor contributions over the last four years demonstrated in figure 3.4, funding is a key concern in the SSAR.

Analysis of the SSAR revealed that the need for increased funding and consistent commitments from the international community was a recurring theme, particularly attributable to the SSAR's critical reliance on such commitments (UNHCR, 2015, p. 12, p. 30). One highlighted mention explained that the burden should not rest solely on the host countries and called for renewed and sustained support from the international community to meet the 'collective responsibility' of Afghan refugee protection (UNHCR, 2015, p. 7). This support included consensus building around how best to stabilise Afghanistan through community based development projects so that refugees can return. The SSAR (UNHCR, 2015) was formulated as a quadripartite partnership strategy between the UNHCR, Pakistan, Iran, and Afghanistan that recognises the complex, interconnected regional significance of the refugee crisis (p. 12). Further analysis of the SSAR showed that bolstering international partnership commitments from both government and the numerous non-government organisations is a critical element of the strategy (p. 8).

Analysis of the SSAR uncovered that 'assistance to host communities' is a cornerstone aim of the Solutions Strategy (p. 13). The SSAR noted that an investment in long-term stability would be required such as the development of human capital through projects such as skills training delivered to both hosts and refugees (p. 14). Community-based interventions like skills training delivered in Pakistan to refugees and host communities could open up livelihood opportunities and enable returnees to help regenerate Afghanistan long term (UNHCR, 2015, p. 34).

6.5 Report Conclusions and Recommendations

This research report set out to explore the relationship between state fragility and the hosting of refugees in the context Pakistan as host to Afghan refugees. Pakistan is among the most fragile states in the world (The Fund for Peace, 2015). The complex, multi-causal nature of Pakistan's fragility has, and continues to have negative repercussions upon its capacity to bear its refugee burden. This report found that Afghan refugees are negatively affected by Pakistan's fragility across all three fragility categories of government legitimacy, and authority, and provision of service entitlements.

Challenges to Pakistan's governance legitimacy such as periodic military coups have prevented it from formulating a comprehensive national refugee policy to benefit both refugee and host communities. In addition, poor financial planning has reduced livelihood opportunities, reinforcing high levels of refugee poverty. Pakistan's inability to thoroughly provide basic service entitlements to its own citizens extends to Afghan refugees who are not directly assisted by the UNHCR which has kept refugee absorption capacity low. Authority difficulties stemming from lack of border control and inability to enforce law and order equally have added refugees and host communities' insecurity, including discrimination by the Pakistani authorities themselves.

This report found that Pakistan's fragility has been a major barrier to Afghan refugee integration locally, despite their protracted residence. With insecurity and state fragility in Afghanistan being a major barrier to refugee return, a lack of third country resettlement options and Pakistan's political aversion to local settlement, sustainable solutions to the Afghan refugee crisis are highly problematic. The state fragility of both Pakistan as refugee host and Afghanistan as homeland is conflict-driven and mutually

reinforces both underdevelopment and protracted refugee displacement. This has made Afghanistan a risky home for the now 2.6 million refugees to return to (UNHCR, 2015: p. 5), and Pakistan a difficult temporary home.

The Afghan refugee crisis has, therefore, remained protracted, carrying with it tremendous regional humanitarian implications. More research is needed to improve understanding of the ways in which conflict-related regional, national, and local host state fragility affects Afghan refugees. A step towards this might be to focus on the SSAR (UNHCR, 2015) which represents the most advanced official partnership strategy, and therefore hope that the Afghan refugee crisis has seen. It aims to strengthen high-level international political ties, and simultaneously assist Afghanistan to welcome refugees home, and support host communities in Pakistan to cope with the refugee burden.

With regards to a deeper exploration of the relationship between state fragility and the hosting of refugees; in the context of Afghan refugees in Pakistan, a systematic tracking and monitoring of SSAR initiatives progress is needed. This should be designed to help all stakeholders ascertain the degree to which real-world improvements are made to vulnerable host communities in Pakistan from a state fragility perspective. The impact of state capacity improvements upon Afghan refugee protection could then inform the refinement of the SSAR, so that one day Afghan's in Pakistan are empowered to return to a secure and prosperous homeland.

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